

Planning and Environment Act 1987

Panel Report

**Glen Eira Planning Scheme Amendment C182glen
Former ABC Gordon Street TV Studios, Elsternwick**

14 June 2019

Planning and Environment Act 1987

Panel Report pursuant to section 25 of the Act

Glen Eira Planning Scheme Amendment C182glenglen

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A handwritten signature in black ink, appearing to read 'Tim Hellsten', with a stylized flourish at the end.

Tim Hellsten, Chair

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Glossary and abbreviations

ABC	Australian Broadcasting Corporation
Act	<i>Planning and Environment Act 1987</i>
Council	Glen Eira City Council
DELWP	Department of Environment, Land, Water and Planning
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
HERCON	National Heritage Convention
Heritage Assessment	<i>Heritage Assessment – ABC Studios, 8 Gordon Street, Ripponlea, Heritage ALLIANCE, June 2018</i>
Heritage Citation	<i>Heritage Citation – Former ABC TV Gordon Street Studios, Elsternwick, Heritage ALLIANCE, 1 November 2018</i>
National Trust	National Trust of Australia (Victoria)
NBRS Assessment	<i>Heritage Assessment – ABC Ripponlea Studios and Offices at 8 Gordon Street, Elsternwick Victoria, NBRS Architecture Heritage, July 2017</i>
NBRS Assessment Review	<i>Peer Review of NBRS Architecture Heritage Assessment, Anthemion Consultancies, January 2018</i>
NBRS Heritage Response	<i>Response to Heritage Assessment, Heritage Assessment: ABC TV Studios prepared for Glen Eira Council by heritage ALLIANCE, June 2018, NBRS Architecture Heritage, 6 September 2018</i>
PPN01	<i>Planning Practice Note 1: Applying the Heritage Overlay</i>
RGZ1	Residential Growth Zone Schedule 1 – Urban Villages
Statement of Significance	<i>Statement of Significance: Former ABC TV Gordon Street Studios</i>
Structure Plan	<i>Elsternwick Structure Plan 2018-2031</i>
VHR Guidelines	<i>The Victorian Heritage Register Criteria and Threshold Guidelines, 6 December 2018</i>

Overview

Amendment summary

The Amendment	Glen Eira Planning Scheme Amendment C182glen
Common name	Former ABC Gordon Street TV Studios, Elsternwick
Brief description	Amend the Schedule to Clause 43.01 Heritage Overlay to include a new heritage place HO156 Former ABC TV Gordon Street Studios Amend the Schedule to Clause 72.04 to incorporate the Former ABC TV Gordon Street Studios Statement of Significance Apply the HO156 to the subject land
Subject land	8 Gordon Street, Elsternwick
The Proponent	Glen Eira City Council
Planning Authority	Glen Eira City Council
Authorisation	3 October 2018
Exhibition	18 October to 19 November 2018
Submissions	Number of Submissions: 10 Supporting: 6; Seeking changes: 1; Opposed: 3

Panel process

The Panel	Tim Hellsten
Directions Hearing	Glen Eira Town Hall, 25 March 2019
Panel Hearing	Glen Eira Town Hall, 29 and 30 April 2019
Site inspections	Unaccompanied, 15 March 2019 Accompanied, 5 April 2019
Appearances	Council represented by Terry Montebello of Maddocks Lawyers and Jacqui Brasher of Glen Eira City Council, who called expert evidence from: <ul style="list-style-type: none"> - David Wixted of Heritage Alliance on heritage - Bruce Trethowan of Trethowan Architecture on heritage Australian Broadcasting Commission represented by Emily Porter of Counsel instructed by Jane Hall of Ashurst, calling the following expert evidence: <ul style="list-style-type: none"> - Brad Vale of NBRS Architecture on heritage - Robyn Riddett of Anthemion Consultancies on heritage - Colleen Peterson of Ratio Consultants on planning National Trust of Australia (Victoria) represented by Emily Watson
Citation	Glen Eira PSA C182glen [2019] PPV
Date of this Report	14 June 2019

Executive summary

The former Australian Broadcasting Corporation's (ABC) Gordon Street TV Studios in Elsternwick, adjacent to the Rippon Lea Estate, was the home to ABC TV production from the commencement of television broadcasting in Victoria in 1956 to 2017 when its operations were transferred to the ABC's Southbank site. The studios constructed at 8 Gordon Street were the ABC's first purpose-built studios in Victoria (and second in Australia after Sydney) and are associated with the *Bellbird*, *Sea Change* and *Countdown* productions amongst others. The site was decommissioned by the ABC in 2017 which involved much of the technical equipment and production facilities, props and sets being removed and relocated. The site is currently for sale.

The studios site is located within a Residential Growth Zone some 200 metres north of the Elsternwick station and activity centre and is part of the Elsternwick Urban Village. The site is identified as a strategic site in the adopted Elsternwick Activity Centre Structure Plan.

Council engaged Heritage ALLIANCE to undertake a Heritage Assessment¹ of the site in 2018 following the development of the Elsternwick Structure Plan.

The Heritage Assessment identified that the ABC Gordon Street Studios are of cultural heritage significance at a National, State and Local level, meeting National Heritage Convention Criterion A, B, E, F, G and H. The significance of the site was attributed to, its association with public broadcasting; its rarity as a surviving television studio and earliest remaining ABC studio; technological development; productions reflecting and influencing Australian culture and identity; and its associations with televising the Melbourne Olympic Games, the Jones family and the legal battles associated with attempts to acquire additional land from the Rippon Lea Estate and the emergence of the heritage conservation and advocacy movement.

The Heritage Assessment identified the building elements of primary significance as the façade and front elevation of the stage 2 (1958) and stage 3 (1961) buildings which feature glass curtain walling and demonstrate the Internal modernist style, the transmission tower and studios 31, 32, 33A and 33B.

Glen Eira Planning Scheme Amendment C182glen(the Amendment) seeks to apply a Heritage Overlay (HO156) to the site by amending the Schedule to the Heritage Overlay and including a Statement of Significance for the site in the list of incorporated documents Schedule to Clause 72.04. The Heritage Overlay Schedule changes propose to require a planning permit for internal alterations and external painting and to allow prohibited uses.

Council received 10 submissions to the Amendment, including supporting submissions from authorities (Transport for Victoria, Environment Protection Authority and Melbourne Water) and the National Trust of Australia (Victoria) (National Trust). The National Trust submission sought to include further information in the Statement of Significance and for the tree control triggers in the Schedule to be 'switched on' for the site.

The three opposing submissions received to the Amendment, including one from the ABC as current site owner, identified the key issues as:

¹ *Heritage Assessment – ABC Studios, 8 Gordon Street, Ripponlea*, Heritage ALLIANCE, June 2018

- the site does not demonstrate the heritage values at a level to warrant inclusion on any heritage register
- the Heritage Overlay would prevent building re-use, compromise residential development and strategic housing and open space outcomes
- the industrial and commercial appearance of the buildings
- the transmission tower may not be structurally sound
- the costs of preserving the site buildings.

The ABC supported its position that the site does not demonstrate the heritage values at a level to warrant inclusion on any heritage register (Commonwealth, state or local) with its own heritage assessment undertaken in 2017, a subsequent peer review of that assessment and a review of the Heritage ALLIANCE Heritage Assessment. These documents concluded that:

- the significance of the place has been compromised by the removal or replacement of technical equipment and internal changes which do not allow the beginnings of television in Australia to be interpreted
- the buildings are representative of a prevailing style and have not been recognised for their architectural value
- the building façade is not unique, distinguished or of aesthetic significance
- the site does not have a strong association with the Jones family or the broadcasting of the Melbourne Olympic Games
- it is the ABC as an organisation and the content it produces that has significance rather than the specific buildings used to produce them.

The Panel heard evidence from four heritage experts (two supporting Council's position and two supporting the ABC's position). The heritage evidence was diametrically opposed in opinion as to whether the place has sufficient heritage significance, at the local level, to support the application of the Heritage Overlay.

The primary test applied by the Panel was whether the heritage values of the site satisfied one or more of the Council National Heritage Convention criteria (HERCON) as set out in *Planning Practice Note 1 (Applying the Heritage Overlay)*. Having relied predominantly on the evidence of Mr Trethowan and Mr Wixted, the Panel concludes that the site satisfies Criterion A (historical significance), B (rarity) and E (aesthetic significance), is likely to satisfy Criterion D (representiveness), but does not meet the necessary threshold of Criterion F (technical significance), G (social significance) or H (associative significance).

While the application of the Heritage Overlay will have some impacts on the extent of future site development and potential dwelling yield, the economic impacts are confined to the site, are likely to be short term and will be offset by the longer-term social benefits of preserving part of Glen Eira's cultural history. The Amendment would not remove the ability for the site to be redeveloped or contribute to housing supply and diversity of the Elsternwick Urban Village or for other policy objectives in the Glen Eira Planning Scheme to be achieved.

The Panel concludes that it is appropriate to apply the Heritage Overlay (HO156) to the site to recognise its local cultural heritage significance and to support the use of internal controls, external paint controls and prohibited uses permitted provisions of the proposed Heritage Overlay Schedule. Tree controls are not supported without further arboricultural assessment.

The Panel has recommended further changes to the Statement of Significance to provide greater clarity around the extent of significant internal areas and studio elements and the identification of significant roof areas. The Panel encourages Council to make further changes to the Statement of Significance in response to the Panel's discussion and conclusions relating to Criterion A and the site's relationship with Rippon Lea and the Jones family.

Council's planning policies and recent strategic work recognise the strategic role of the site as a future development site. This will inevitably result in necessary changes to heritage fabric to accommodate the practical reuse of the building which in itself will be important for its long-term retention. The development of a Conservation Management Plan will be important to provide an appropriate level of guidance and certainty for future land owners wishing to develop the site in a way that appropriately responds to the heritage significance of the site. Council is encouraged to work closely with the ABC or future land owners to develop a Conservation Management Plan. To avoid unnecessary permit applications and to establish a more facilitative heritage control regime, Council is also encouraged to develop site specific Heritage Overlay permit exemptions. These could include exemptions for external painting and internal alterations and other minor works and be included in the Heritage Overlay Schedule as an incorporated document.

Recommendations

Based on the reasons set out in this Report, the Panel recommends that Glen Eira Planning Scheme Amendment C182glen be adopted as exhibited subject to the following:

- 1. Amend the Statement of Significance under 'What is significant' to:**
 - a) Include in the first dot point after the words '*transmission tower*' the words '*and for the purpose of paint controls, its original colours*'.**
 - b) Include as significant elements in dot point 2, the roof of the stage 2 building and stage 3 building to a minimum depth of 10 metres from the significant facades of those buildings.**
 - c) Replace dot point three with a new description of the significant internal areas that is included in the Document 22 version of the Statement of Significance, along with the inclusion of new 'Areas of significance' diagrams that identify the rooms and spaces of primary and contributory significance at different building levels.**
 - d) Replace the fourth dot point relating to important elements of the studios with the following revised wording:**
 - '*The important elements of the studios include the soundproofing, lighting hanging boards and the relationship between the studio floor and the master control rooms above*'.**
- 2. Amend the Statement of Significance and Heritage Citation be updated to reflect:**
 - a) Mr Wixted's evidence regarding Oscar Gimsey.**
 - b) Mr Trethowan's evidence that the Gordon Street studios satisfy Criterion D.**

1 Introduction

1.1 The Amendment

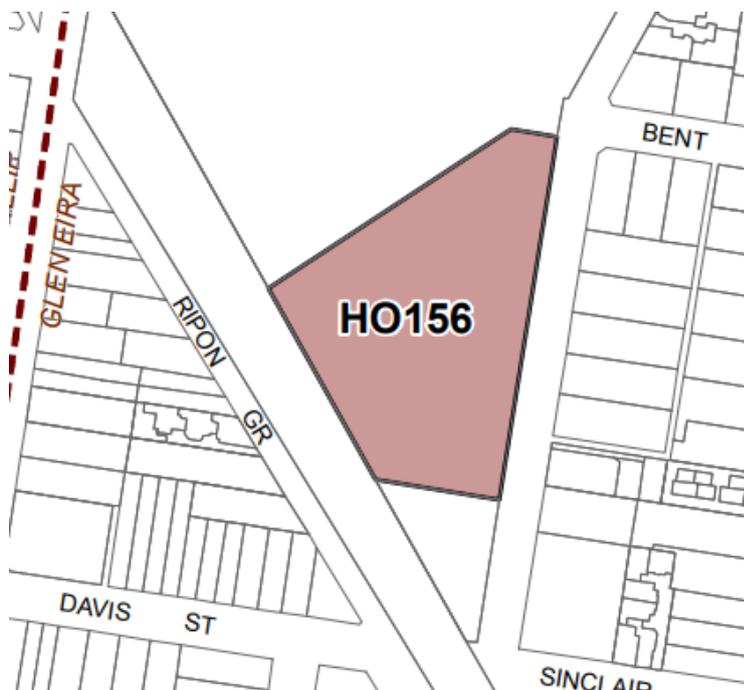
(i) Amendment description and purpose

The purpose of the Amendment is to apply a Heritage Overlay to the site of the former Australian Broadcasting Corporation (ABC) TV Gordon Street Studios in Elsternwick to recognise and protect the place's identified heritage values and significance.

Specifically, the Amendment proposes to:

- amend the Schedule to the Heritage Overlay to include a new heritage place HO156 Former ABC TV Gordon Street Studios
- amend the Schedule to Clause 72.04 to incorporate the *Former ABC TV Gordon Street Studios Statement of Significance*
- apply the Heritage Overlay (HO156) to the subject land.

Figure 1 Proposed HO156



(ii) The subject land

The Amendment applies to 8 Gordon Street, Elsternwick (Figure 2). The site is 1.174 hectares and has a frontage to Gordon Street of 160 metres. The rear of the site abuts the Sandringham rail line. The site is occupied by the former ABC TV studios, comprising transmission tower built in 1956 and a collection of buildings ranging from one to five storeys in height (Figure 3), designed by the Commonwealth Public Works Department in the modernist *International Style* of the era, and constructed and modified between 1956 and 1965. The site buildings are in the western portion of the site. A carpark, which contains several established trees, is in the eastern portion of the site along the Gordon Street frontage.

Figure 2 Subject land



Source: Council Part B submission

The site is fenced for the length of the car park (other than access gates or boom gates) with a vine covered chain mesh fence which filters views to the buildings from the street (Figure 3).

Figure 3 Gordon Street views of site from access gates

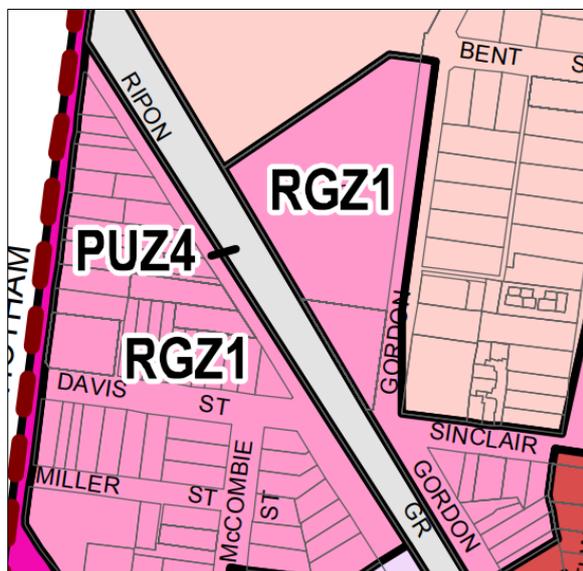


The site ceased operation as a working studio in 2017, with the site buildings closed and decommissioned. The site is currently for sale.

The subject land adjoins the Rippon Lea Estate (HO36) to the north and has a strong visual relationship to that site’s well-established gardens (the ABC site was originally acquired from the owners of the Rippon Lea Estate). A 6 storey apartment complex with 2 storey street podium level occupies the triangular parcel to the south (2 Gordon Street). The eastern side of Gordon Street is used mainly for residential purposes.

The subject land is zoned Residential Growth Zone 1 (RGZ1) as is the site to the south and land to the south-west (Figure 4). Rippon Lea and the residential areas to the north-east are zoned Neighbourhood Residential Zone. The site is located some 200 metres north of the Elsternwick activity centre located along Glenhuntly Road and zoned Commercial 1 Zone.

Figure 4 Subject land and adjoining area zoning



1.2 Amendment in detail

(i) Heritage Overlay Schedule

The Amendment introduces a new heritage place (HO156) into the Schedule to the Heritage Overlay. The changes to the Schedule include:

- inserting into the heritage place description reference to the *Former ABC TV Gordon Street Studios Statement of Significance* (Statement of Significance).
- 'switching on' the need for a planning permit for external paint controls and internal alterations and allowing (subject to a permit) uses prohibited in the relevant zone (RGZ1 in this instance). The Explanatory Report identifies that external paint and internal alteration controls are limited to the transmission tower and TV studios 31, 32, 33A and 33B although this is not specified in the Statement of Significance.

(ii) Statement of Significance

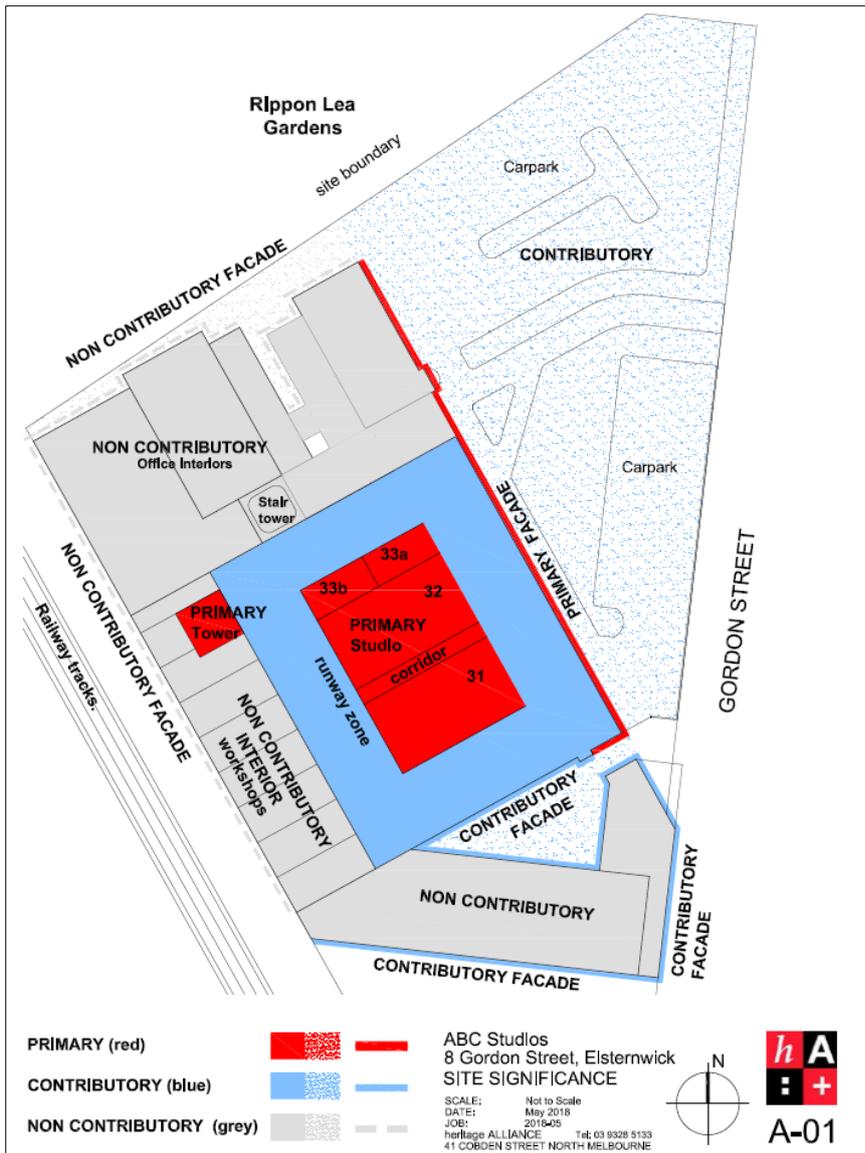
The Amendment includes the Statement of Significance in the list of incorporated documents included in the Schedule to Clause 72.04. The Statement of Significance includes details of what is significant, how it is of significance and why it is of significance. The Statement of Significance is based on content sourced from the *Heritage Assessment – ABC Studios, 8 Gordon Street, Ripponlea June, 2018* prepared by Heritage ALLIANCE (Heritage Assessment) and the *Heritage Citation – Former ABC TV Gordon Street Studios, Elsternwick, 1 November 2018* prepared by Heritage ALLIANCE. The Heritage Assessment and citation are discussed in greater detail in Chapter 3.

The Statement of Significance identifies that:

The ABC TV Gordon Street studios are of cultural significance at the National, State and Local level as a place associated with public broadcasting by the Australian Broadcasting Corporation since 1956. It is a rare, surviving twentieth century television studio and the earliest ABC television studio left in Australia. The site and its fabric reflects technological developments in television from the nascent technology of 16mm film production to telecine, videotape, colour broadcasting and then digital broadcasting, from 1956 until 2017. The studios are associated with a medium which had far-reaching effects on Australian culture, ideas, identity and society from 1956 until 2017.

The statement identifies by description and diagram (Figure 5), the following building and site elements of primary and contributory significance:

Figure 5 Areas of significance diagram



- primary significance:²
 - the transmission tower
 - the eastern façade of the stage 2 and stage 3 buildings³
 - internal areas of studios 31, 32, 33A and 33B including sound floor, studio materials, lighting and electrical equipment and control rooms
- contributory significance:⁴
 - the scenery runway and service areas and rooms adjacent to the studios
 - the southern façade of the stage 2 building and the northern, southern and eastern facades of the stage 1 buildings
 - the open carpark area and associated vegetation along Gordon Street.

All other buildings and areas are identified as non-contributory⁵.

The Statement of Significance includes the significance criterion from the Heritage Assessment. It does not identify or limit the extent to which external painting and internal alterations should apply.

1.3 Background

(i) Elsternwick Structure Plan and Heritage Assessment

Council's Part A submission set out a chronology of events from its engagement on and subsequent adoption of, the Elsternwick Structure Plan in 2018 and its engagement of Heritage ALLIANCE to undertake a heritage assessment in response to issues raised by the National Trust. The Heritage Assessment is discussed in greater detail in Chapter 3 and the role of the Elsternwick Structure Plan in Chapter 4.

(ii) Authorisation

The Amendment was authorised by the Department of Environment, Land, Water and Planning under delegation from Minister for Planning on the 3 October 2018 subject to two conditions. The conditions sought a tracked changes version of schedule changes and further justification in the Explanatory Report of the proposed heritage controls and their impacts on the future use and development of the site. The Amendment was subsequently exhibited between 18 October and 19 November 2018, attracting ten submissions.

² "Elements which contribute in a fundamental way to an understanding of the cultural significance of the place and which must be retained, maintained and restored as finances permit".

³ Building stages are identified in Figure 7 in Chapter 3.

⁴ "Elements and areas which were originally of a secondary or supportive nature to the understanding of the place or may have been considerably altered or associated with a phase of development of lesser importance. These elements must be retained and restored where possible and have only minor changes made to them".

⁵ "Elements and areas which are of a perfunctory or supportive nature and may have been altered or from a less significant phase of place development. These elements should be maintained or removed and replaced in a manner which does not negatively affect the overall significance of the place".

(iii) Interim controls

Council sought Authorisation for Amendment C183 to apply an interim Heritage Overlay to the site. This request was not supported by the Minister because it was considered premature, the site was not under any immediate threat, no development application had been made for the site, and that Amendment C182 had been exhibited allowing a Panel to consider submissions⁶.

(iv) Victorian Heritage Register application

Council applied to Heritage Victoria in August 2018 to include the subject site in the Victorian Heritage Register.

Council submitted that it had been advised by Heritage Victoria of their intention to place on public notice in mid-May 2019, a recommendation to include the site on the Victoria Heritage Register as a place of state significance. Council advised the Panel at the Hearing that this notice date was likely to be deferred to a later date.

The Panel was subsequently advised by Heritage Victoria (Document 25), Council (Document 24) and the ABC (Document 23) of the Executive Director of Heritage Victoria's decision on 20 May to recommend to the Heritage Council that the Former ABC Studios Ripponlea not be included in the Victorian Heritage Register. The Executive Directors Recommendation report identifies that the site is likely to satisfy criteria A, D and E at a basic level but does not satisfy any of the eight HERCON criteria at a state level of significance. The Recommendation report does however indicate that the place may be of potential local significance.

The Panel notes that a final decision by the Heritage Council has not been made on the recommendation at the date of this Report.

1.4 Summary of issues raised in submissions

The Amendment received supporting submissions from Transport for Victoria, Environment Protection Authority, Melbourne Water and the National Trust of Australia (Victoria) (National Trust). The National Trust submission sought to include further information in the Statement of Significance sourced from the Heritage Assessment relating to references to television programming, the purpose-built nature of the site, its association with the Rippon Lea Estate, its aesthetic architectural value and broader social significance. The National Trust also sought the tree control triggers in the schedule to be 'switched on' for the site. Three other supporting submissions were received from the community.

The three opposing submissions received to the Amendment, including a submission from the ABC as current site owner, identified the following key issues:

- the site does not demonstrate the heritage values at a level to warrant inclusion on any heritage register
- the Heritage Overlay would prevent building re-use, compromise residential development and strategic housing and open space outcomes

⁶ Correspondence from Minister for Planning dated 29 January 2019 (Document 1)

- the industrial and commercial appearance of buildings are unsuited to a residential area
- the transmission tower may not be structurally sound
- the costs of preserving the site buildings.

No change was proposed to the Amendment documents in response to submissions.

1.5 The Panel's approach

The Panel has assessed the Amendment against the principles of net community benefit and sustainable development, as set out in Clause 71.02-3 (Integrated decision making) of the Planning Scheme.

The Panel considered all written submissions made in response to the exhibition of the Amendment, observations from site visits, and submissions, evidence and other material presented to it during the Hearing. It has reviewed a large volume of material, and has had to be selective in referring to the more relevant or determinative material in the Report. All submissions and materials have been considered by the Panel in reaching its conclusions, regardless of whether they are specifically mentioned in the Report.

This Report deals with the issues under the following headings:

- Planning context
- Strategic justification
- Heritage significance of 8 Gordon Street, Elsternwick
- Should a Heritage Overlay be applied?
- How should the Heritage Overlay be applied?

1.6 Site inspections

The Panel inspected the site from surrounding streets on 15 March 2019. Following the Directions Hearing, arrangements were made by the ABC for an accompanied site inspection of the site and buildings. This took place on 5 April with representatives of Council, the ABC and expert witnesses. The National Trust was invited but was unable to attend. No presentations were made to the Panel as part of this inspection.

1.7 Limitations

Three supporting submissions raised matters that are not relevant to the Amendment. Mr Rothel (Submission 7) proposed an alternate use for the site (retirement village) and identified concerns about the impacts of future site development might have on local character and property values. Mr Hayward's submission (Submission 1) requested that future site development be limited in height, with site parking and traffic activity appropriately managed. Mr Hopgood's (Submission 10) supporting submission suggested that the heritage values associated with the site could be maintained as a centre featuring memorabilia, historic screenings, acting classes and training experiences.

The Panel is limited in its consideration of the Amendment to the application of the Heritage Overlay to the site and whether this is appropriate in the context of the identified heritage values and significance of the place and whether an overlay can be strategically justified. The

issue of the future use and development of the site is only relevant in terms of whether applying the Heritage Overlay impacts on other planning policy outcomes being achieved. The Panel has only considered future site use and development of the site in this context. The future use and development of the site will be subject to a separate planning permit application process.

2 Planning context

2.1 Planning policy framework

Victorian planning objectives

Council submitted that the Amendment will assist in implementing State policy objectives set out in section 4 of the *Planning and Environment Act 1987* (the Act) by identifying and protecting the heritage values associated with 8 Gordon Street as a place of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value.

Clause 15 (Built Environment and Heritage)

Council submitted that the Amendment supports Clause 15 by:

- conserving a place of national, state and local cultural heritage significance heritage significance identified through assessment and documentation and applying a Heritage Overlay (Clause 15.03 - 1S Heritage Conservation).

Clause 21 (the Municipal Strategic Statement)

Council submitted that the Amendment supports the MSS by:

- identifying, protecting, enhancing and promoting an understanding of places identified as having architectural, cultural or historical significance in Glen Eira (Clause 21.10 - Heritage).
- encouraging housing activity in suitable locations based on factors including heritage constraints and managing the cultural heritage significance of the place ensuring redevelopment of the land satisfies the objectives of the Elsternwick Urban Village including diversity, social and special housing needs (21.04 - Housing and Residential Development).

Clause 22 (local planning policies)

The Amendment supports local planning policies by:

- protecting a place identified as having architectural, cultural or historic significance and which demonstrates the various eras of Glen Eira's development (Clause 22.01 - Heritage Policy)
- identifying and assessing 8 Gordon Street, Elsternwick as having national, state and local cultural significance which is worthy of protection via the Heritage Overlay (Clause 22.01 - Heritage Policy)
- allowing future residential redevelopment of the land by encouraging retention of contributory buildings and incorporating them into the overall development (Clause 22.05 Urban Villages Policy).

2.2 Other relevant planning strategies and policies

(i) Plan Melbourne

Plan Melbourne 2017-2050 sets out strategic directions to guide Melbourne's development to 2050, to ensure it becomes more sustainable, productive and liveable as its population

approaches 8 million. It is accompanied by a separate implementation plan that is regularly updated and refreshed every five years.

Plan Melbourne is structured around seven Outcomes, which set out the aims of the plan. The Outcomes are supported by Directions and Policies, which outline how the Outcomes will be achieved. Outcomes that are particularly relevant to the Amendment are set out in Table 1.

Table 1 Relevant parts of Plan Melbourne

Outcome	Directions	Policies
2. Melbourne provides housing choice in locations close to jobs and services	<p>2.1 Manage the supply of new housing in the right locations to meet population growth and create a sustainable city</p> <p>2.2 Deliver more housing closer to jobs and public transport</p>	<p>2.1.2 Facilitate an increased percentage of new housing in established areas to create a city of 20-minute neighbourhoods close to existing services, jobs and public transport</p> <p>2.1.3 Plan for and define expected housing needs across Melbourne's regions</p> <p>2.1.4 Provide certainty about the scale of growth in the suburbs</p> <p>2.2.1 Direct new housing and mixed-use development to urban renewal precincts and sites across Melbourne</p> <p>2.2.3 Support new housing in activity centres and other places that offer good access to jobs, services and public transport</p>
4. Melbourne is a distinctive and liveable city with quality design and amenity	4.4 Respect Melbourne's heritage as we build for the future	<p>4.4.1 Recognise the value of heritage when managing growth and change by:</p> <ul style="list-style-type: none"> - protecting Melbourne's post-settlement cultural heritage through consistent and credible decision-making based on clear and widely accepted heritage conservation principles and practices - decisions based on an appreciation of Melbourne's past and an understanding of its future needs including the processes of change to the urban environment - continuous identification and review of currently unprotected heritage sites and targeted assessments of heritage sites in areas identified for substantial change <p>4.4.3 Stimulate economic growth through heritage conservation by supporting adaptive re-use and regeneration to support new investment and jobs</p> <p>4.4.4 Protect Melbourne's heritage through telling its stories and creating opportunities for community building through arts, heritage and cultural projects and supporting built heritage conservation and place-making for new and existing communities</p>

(ii) Elsternwick Structure Plan 2018 - 2031

The Structure Plan, adopted by Council in 2017, outlines a long-term plan to guide future land use and development in line with a vision for Elsternwick. The Structure Plan identifies the subject land as a strategic site for employment purposes, potentially associated with creative industries and public open space as well as for delivering mixed use, housing diversity outcomes alongside other strategic sites.

There is no current Amendment to introduce the Structure Plan into the Glen Eira Planning Scheme. The Structure Plan is discussed in further detail in Chapter 4.

2.3 Planning scheme provisions**(i) Zones and Overlays**

The subject land is in the Residential Growth Zone Schedule 1 – Urban Villages (RGZ1). The Amendment proposes to apply the Heritage Overlay. The purposes of the RGZ and HO are shown in **Error! Reference source not found.**

Table 2 Residential Growth Zone and Heritage Overlay purposes

Residential Growth Zone	Heritage Overlay
Common purpose	
To implement the Municipal Planning Strategy and the Planning Policy Framework	
Specific purposes	
<ul style="list-style-type: none"> - To provide housing at increased densities in buildings up to and including four storey buildings - To encourage a diversity of housing types in locations offering good access to services and transport including activity centres and town centres - To encourage a scale of development that provides a transition between areas of more intensive use and development and other residential areas - To ensure residential development achieves design objectives specified in a schedule to this zone - To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations 	<ul style="list-style-type: none"> - To conserve and enhance heritage places of natural or cultural significance - To conserve and enhance those elements which contribute to the significance of heritage places - To ensure that development does not adversely affect the significance of heritage places - To conserve specifically identified heritage places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place

The RGZ1 provides for a maximum height limit of 13.5 metres.

The provisions of the Heritage Overlay require a planning permit to subdivide, demolish or remove a building and for specified buildings and works. The Heritage Overlay includes

specific provisions for VicSmart applications and the ability to not require a planning permit for anything done in accordance with an incorporated plan identified in the Heritage Overlay schedule. The Heritage Overlay also identifies a range of application classes exempt from the notice provisions of the Act.

The schedule to the Heritage Overlay includes a list of heritage places and reference to a Statement of Significance or other incorporated document where one exists, and an identification of whether:

- external painting controls apply (Yes for this Amendment)
- internal alteration controls apply (Yes for this Amendment)
- tree controls apply (No for this Amendment)
- outbuildings are exempt (No for this Amendment)
- the site is listed on the Victorian Heritage Register (No for this Amendment)
- the site is an Aboriginal heritage place (No for this Amendment)
- whether prohibited uses are permitted (Yes for this Amendment).

2.4 Ministerial Directions and Practice Notes

(i) Ministerial Directions

Council submitted that the Amendment meets the relevant requirements of the following Ministerial Directions:

- Ministerial Direction No 11 - Strategic Assessment of Amendments
- Ministerial Direction on the Form and Content of Planning Schemes under Section 7(5) of the Act.
- Ministerial Direction No. 9 - Metropolitan Planning Strategy which requires amendments to have regard to Plan Melbourne.

The Ministerial Direction on the Form and Content of Planning Schemes was updated to reflect a number of consequential planning scheme content and structure changes in response to Amendment VC148. These changes included changes to the way in which the Schedule to the Heritage Overlay identifies applies to sites on the Victorian Heritage Register.

(ii) Practice Notes

Planning Practice Note 1 – Applying the Heritage Overlay (July 2015)

Planning Practice Note 1 (PPN01) provides guidance about using the Heritage Overlay. It states that documentation for each heritage place needs to include a Statement of Significance that clearly establishes the importance of the place and addresses the heritage criteria. The Practice Note includes model criteria (HERCON) that have been adopted nationally for assessing heritage.

Council submitted that the proposed heritage place meets six of the eight criteria - Criterion A (historical significance), Criterion B (rarity), Criterion E (aesthetic significance), Criterion F (technical significance), Criterion G (social significance) and Criterion H (associative significance).

The Panel considers that the Heritage Overlay Schedule and Statement of Significance includes appropriate content and has been prepared in a manner consistent with PPN01.

Planning Practice Note 46 – Strategic Assessment Guidelines for Preparing and Evaluating Planning Scheme Amendments

Planning Practice Note 46 (PPN46) provides guidance on the content and level of assessment required in support of an amendment to satisfy Ministerial Direction 11.

The Panel considers that Council has broadly prepared the Amendment in accordance with PPN46. This is discussed in greater detail in Chapter 4.

2.5 Amendment VC148

Amendment VC148 was gazetted on 31 July 2018, before the Amendment was exhibited. VC148 made substantial changes to the structure and content of the planning policy framework, as well as other provisions in the Planning Scheme including changes to the structure of the Heritage Overlay schedule and including statements of significance. The Amendment has used the correct structure of the Heritage Overlay schedule.

2.6 Discussion and conclusion

For the reasons set out in the following chapters, the Panel concludes that the Amendment is supported by, and implements, the relevant sections of the Planning Policy Framework, Municipal Strategic Statement and Local Planning Policy Framework and is consistent with the relevant Ministerial Directions and Practice Notes. The Amendment is well founded and strategically justified, and the Amendment should proceed subject to addressing the more specific issues raised in submissions as discussed in the following chapters.

3 Heritage significance of ABC Gordon Street Studios

3.1 The issue

The issue is whether the ABC Gordon Street Studios have a local level of heritage significance that would support the application of a Heritage Overlay.

3.2 Relevant documents

(i) Planning Practice Note 1 – Applying the Heritage Overlay (July 2015)

PPN01 includes model criteria (HERCON) that have been adopted nationally for assessing heritage:

- Criterion A: Importance to the course or pattern of our cultural or natural history (historical significance).
- Criterion B: Possession of uncommon rare or endangered aspects of our cultural or natural history (rarity).
- Criterion C: Potential to yield information that will contribute to an understanding of our cultural or natural history (research potential).
- Criterion D: Importance in demonstrating the principal characteristics of a class of cultural or natural places or environments (representativeness).
- Criterion E: Importance in exhibiting particular aesthetic characteristics (aesthetic significance).
- Criterion F: Importance in demonstrating a high degree of creative or technical achievement at a particular period (technical significance).
- Criterion G: Strong or special association with a particular community or cultural group for social, cultural or spiritual reasons. This includes the significance of a place to Indigenous peoples as part of their continuing and developing cultural traditions (social significance).
- Criterion H: Special association with the life or works of a person, or group of persons, of importance in our history (associative significance).

PPN01 requires a comparative analysis to be undertaken to substantiate the significance of a place. It further identifies that an appropriate test for applying the Heritage Overlay is that there is something tangible to manage.

(ii) Victorian Heritage Register Guidelines

The Victorian Heritage Register Criteria and Threshold Guidelines, 6 December 2018 (VHR Guidelines) provide a guide to determining whether a place is of a state level of cultural heritage significance and should be included on the Victorian Heritage Register. The guide includes a three stepped approach based on the HERCON criteria. Step 1 includes a basic test for satisfying the criterion, with Step 2 a test of whether the criterion can be satisfied at the state level. Step 3 includes a list of exclusions that would disqualify a place from satisfying the criterion at a state level.

The Guidelines have not been relied on by the Panel as they relate to determining sites of state significance and this Amendment is focused on applying a local level heritage control. They do however, provide useful guidance to understanding the HERCON criterion, what is meant by intactness, integrity and aesthetic characteristics.

(iii) Heritage ALLIANCE assessment

Council engaged Heritage ALLIANCE in April 2018 to assess the subject land consistent with the directions of the Structure Plan and in the context of indications from the ABC about the site's sale. The Heritage Assessment was prepared by Mr Wixted who provided heritage evidence to the Hearing.

The Heritage Assessment identified that the ABC Gordon Street Studios are significant at a National, State and Local level for historical, architectural, cultural, social and technological reasons.

In summary, the Heritage Assessment identifies that ABC Gordon Street Studios are of cultural significance:

- at the National, State and Local level as a place associated with public broadcasting by the ABC since 1956 and the Melbourne Olympic Games in 1956
- at the National, State and Local level as a place associated with influential television programming over a broad range of subjects, and for culturally influential drama productions such as *Bellbird* and *Sea Change* and live-audience music productions like *Countdown* which influenced Australian youth in the 1970s and 1980s
- at the Local level as a place associated with Rippon Lea Estate and Louisa Jones, the last owner of the Estate and the conservation history associated with her efforts to save the Rippon Lea Estate and gardens from acquisition
- at the Local level as one of few industrial buildings in Glen Eira with aesthetic presence and as a rare, early example of a Post-War International style building featuring exterior curtain walling
- at the National, State and Local level as a place with significance to those that worked in the buildings including staff and industry professionals, and as a place associated with the development of an emergent and distinctive entertainment and broadcasting industry.

The Heritage Assessment identifies the areas of primary, contributory and non-contributory significance as shown in Figure 6. In terms of the building façade of primary significance, the Heritage Assessment notes the important elements as comprising the spandrel glass curtain walling, masonry brickwork, recessed podium, flat roof, projecting masonry and the *“overall forming of flat areas of glazing intersecting with solid cuboid forms, both horizontal and vertical”*.

The Heritage Assessment describes:

- the form and function, design and the four stages of site development (Figure 6)
- the history of site development and introduction of television to Australia
- the social significance of the place
- the design influences on the functional and modern form and use of curtain walls and rectangular forms (Commonwealth Offices Latrobe Street - demolished, Russell

Street Telephone Exchange) and other comparative television facilities (ABC TV and Radio Studios, Adelaide Terrace Perth (front elevation retained), ABN2 Gore Hill in Sydney (demolished). The site is identified as one of four Post-War television studio sites identified as being of heritage and architecturally important structures along with GLV10 Traralgon, GMV6 Shepparton and Channel 10 Forest Hill

- assessment of the cultural heritage values using the HERCON criterion. The Assessment suggests that the studios satisfy six of the eight criteria as identified in Table 3. This assessment is also included in the Statement of Significance under the heading 'Why is it significant?'

Figure 6 Staging of site development



The Assessment recommends the development of a Conservation Management Plan to inform in greater detail, where and how the site could be developed in the future.

The *Heritage Citation – Former ABC TV Gordon Street Studios, Elsternwick*, Heritage ALLIANCE, 1 November 2018 (Heritage Citation) for the site includes a site history, social significance analysis, Statement of Significance and comparative analysis largely similar and aligned with the Heritage Assessment. It recommends the application of Heritage Overlay with external paint controls, internal alteration controls (potentially guided by a Conservation Management Plan). It does not identify or limit the extent to which external painting and internal alterations should apply.

Table 3 Heritage Assessment analysis against National Heritage Convention criterion

Criterion	Why is it significant?
A: Importance to the course, or pattern of our cultural or natural history (historical significance)	<ul style="list-style-type: none"> • Association with the beginnings of television in Australia, with public broadcasting by the ABC since 1956 and one of the earliest ABC television studios in Australia (Commonwealth) • Association with a medium which effected Australian culture, ideas, identity and society in the late twentieth century (National) • First purpose-built television facility and the site of the first public television broadcast in Victoria (State) • Association with the 1956 Melbourne Olympic Games (State) • Association with the development of a heritage conservation and advocacy movement and National Trust in Victoria (Local) • Association with Rippon Lea Estate and the Jones family (Local)
B: Possession of uncommon, rare or endangered aspects of our cultural or natural history (rarity)	<ul style="list-style-type: none"> • Earliest extant public broadcasting studio in Australia (National) • Last remaining twentieth century ABC television studio in Victoria (State) • One of only a few industrial buildings in City of Glen Eira with an aesthetic presence (Local) • Rare Post-War International style building in Glen Eira (Local)
E: Importance in exhibiting particular aesthetic characteristics (aesthetic significance)	<ul style="list-style-type: none"> • Creation of the building in the International modernist style, a style in vogue within the Commonwealth Public Works Department at the time of its construction and one of the few buildings in the City of Glen Eira in this style and scale (Local)
F: Importance in demonstrating a high degree of creative or technical achievement at a particular period (technical significance).	<ul style="list-style-type: none"> • Demonstrates the development of technological design and innovation in the early television industry of the 1950s and the influence of overseas experts on Australian technicians, designers and engineers (National) • Demonstrates changing technology in television production and broadcasting from film to video to digital broadcasting, between 1956 and 2017 (National)
G: Strong or special association with a particular community or cultural group for social, cultural or spiritual reasons (social significance)	<ul style="list-style-type: none"> • Special association with generations of Australians influenced by ABC Television programmes in particular <i>Bellbird</i>, <i>Countdown</i>, and <i>Sea Change</i>, current affairs and news programmes and the cultural influence these programmes had on Australian society (State) • Special association with ABC staff who worked in the building (Local)
H: Special association with the life or works of a person, or group of persons, of importance in our history (associative significance)	<ul style="list-style-type: none"> • Special association with the development of a fledgling entertainment and broadcasting industry, which went on to develop Victorian talent in music, film, video, journalism, acting, direction, design and production and directly contributed to the development and dissemination of a distinctive Australian culture (National and State)

(iv) Heritage assessments undertaken for the ABC

The ABC supported its position that the site does not demonstrate the heritage values at a level to warrant inclusion on any heritage register (Commonwealth, state or local) with a series of reports:

- *Heritage Assessment – ABC Ripponlea Studios and Offices at 8 Gordon Street, Elsternwick Victoria*, NBRs Architecture Heritage, July 2017. This assessment was undertaken to satisfy the requirements of the Environment Protection and Biodiversity Conservation Act 1999 and provided with its original submission to the Amendment. Mr Vale was involved in the preparation of this assessment.
- *Peer Review of NBRs Architecture Heritage Assessment*, Anthemion Consultancies, January 2018. Ms Riddett prepared this review.
- *Response to Heritage Assessment, Heritage Assessment: ABC TV Studios prepared for Glen Eira Council by heritage ALLIANCE, June 2018*, NBRs Architecture Heritage, 6 September 2018. Mr Vale was involved in the preparation of this review.

These documents concluded that:

- the studios do not demonstrate Commonwealth Heritage Values or meet any of the 9 *Environment Protection and Biodiversity Conservation Act 1999* criterion
- the significance of the place has been compromised by the removal or replacement of technical equipment and internal changes which would allow the beginnings of television in Australia to be interpreted
- the buildings are representative of a prevailing style of the Commonwealth Department of Works from 1950 – 1975, and have not been recognised to date for their architectural value
- the building façade is not unique, distinguished or of aesthetic significance and the clarity of the original design is compromised by additions
- the site does not have a strong association with the Jones family or the broadcasting of the Melbourne Olympic Games
- it is the ABC as an organisation and the content it produces that has significance rather than the specific buildings used to produce them.

3.3 The evidence and Panel approach

The Panel heard extensive heritage evidence, supported by various site assessments, on whether the ABC Gordon Street Studios met the necessary threshold to be identified as a place of cultural heritage significance. Evidence from Mr Wixted (Heritage Alliance) and Mr Trethowan (Trethowan Architecture) concluded that the studios met the criteria for at least local heritage significance. The evidence from Mr Vale and Ms Riddett concluded the site did not meet the threshold for the Heritage Overlay and that it is the output of the ABC which is significant and not the site where the programs were produced and with the alterations to buildings and removal of fabric there was little to tangibly link the site with early television production.

To establish whether the subject land meets a local level of cultural heritage significance, the Panel has examined the Amendment support materials, submissions and evidence to consider

whether the site and building values meet one or more of the threshold HERCON criterion as set out in PPN01.

The Report refers to buildings of proposed primary significance and contributory significance (Figure 7) and internal areas of primary significance (Figure 8).

Figure 7 Buildings of proposed primary and contributory heritage significance



Transmission tower (primary)



Glass curtain façade of stage 2 buildings (primary)



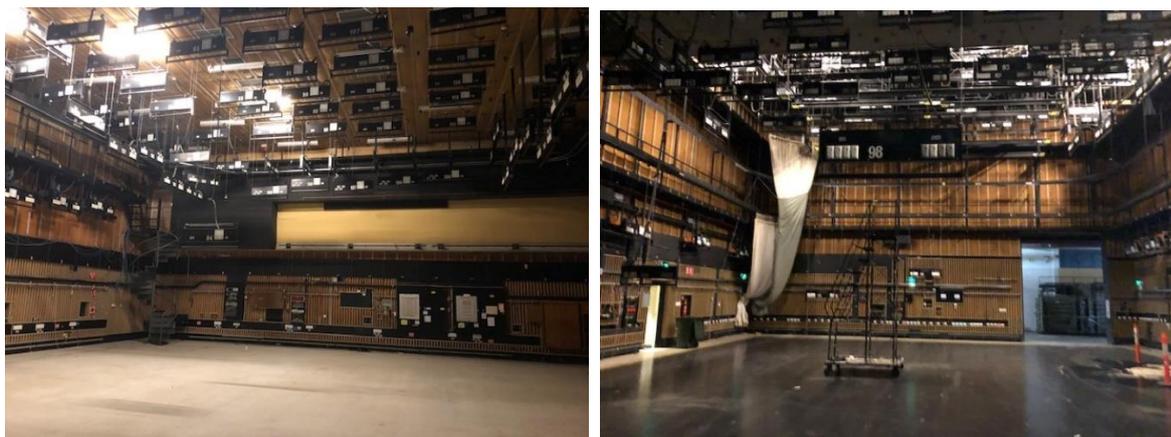
Courtyard elevations of stage 1 building (contributory façade)



Stage 2 building (contributory façade)



Stage 3 building (primary significance façade)

Figure 8 Internal spaces of proposed primary significance

Studio 32 (left) and Studio 31 (right)

3.4 Criterion A: Historical Significance

(i) Evidence and submissions

Council relied on the evidence of Mr Wixted and Mr Trethowan to conclude that the Amendment satisfies Criterion A.

Mr Trethowan's evidence suggested that to satisfy Criterion A:

A place should have a *clear association* with an event, phase, period, process, function, movement custom or way of life in a locality's history. This association should be *evident* in the fabric. Finally the event, phase etc. should be of historic importance.

Mr Trethowan concluded that the site and buildings were "*undoubtedly of historic significance at a local level*" and held a special status as the only broadcasting station in the municipality.

Mr Vale's and Ms Riddett's evidence concluded that the land and buildings did not satisfy the Criterion A threshold. The National Trust submission considered that they did.

The advent of television

Mr Wixted's evidence identified the significance associated with the beginnings of television in Australia and the earliest still extant ABC studios in Victoria and Australia. This included the stage 1, 1956 buildings. His evidence included reference to the heritage assessment for the ATV-0 Forest Hill studios which attributed significance to that site as one of only two purpose-built television studios erected in Melbourne in the 1950s and 1960s (the other being the Gordon Street studios), as well as social significance associated with its productions (meeting Criterion A and G).

Mr Wixted opined that the building has a clear and coherent design that is easy to read and understand "*when one is aware of the two large sound stages around which everything else revolves*".

Mr Trethowan's evidence identified the significant cultural impact associated with the advent of television in Australia in the 1950s and by the ABC as a public broadcaster. He considered that the association with the history of television broadcasting was well presented in the Heritage Assessment and that association was evident in the transmission tower, internal

studios and ancillary spaces and the original 1958 buildings. He considered that the site and buildings important in the history of Glen Eira for their *“development of a broadcasting industry in the municipality throughout the second half of the twentieth century”*.

The ABC’s submission supported by the evidence of Ms Riddett and Mr Vale, identified that the physical fabric of the building does not demonstrate the early history of television as a result of original broadcasting equipment being replaced over the years and all the equipment removed following site decommissioning.

Mr Vale opined that the site buildings have limited historical significance as the first purpose ABC studios in Melbourne. He considered the potential significance to be diminished by the removal of original equipment that might demonstrate its early phase of operations, alterations to the original fabric and interior fit-outs to remove asbestos.

Telecasting the 1956 Melbourne Olympic Games

Mr Wixted identified that it was likely that beyond the transmission tower and garages used to house the outside broadcast vans used to broadcast the 1956 Olympic Games, parts of the stage 2 buildings were under construction in 1956.

Mr Trethowan identified that the building’s association with the Olympic Games has historic importance at a local level, as the only known structures in Glen Eira with a direct link with the Games and one of only a few such structures in the state.

Mr Vale’s evidence associated the broadcast van with the televising of the Olympic Games by the ABC. Ms Riddett supported this view adding that the transmission tower was the only physical evidence connecting the site to the Games.

Ms Porter for the ABC submitted that the land’s association with the broadcasting of the Olympic games should be treated with caution. This was because broadcasting of the Games was undertaken by the ABC (as well as other broadcasters) from a series of temporary facilities including the mobile van. She noted that the garage which housed the van and broadcasting activities was only attributed contributory value (facade only).

Association with Rippon Lea Estate and the National Trust of Victoria

Mr Wixted’s evidence identified the significance of the site’s association to the development of local heritage conservation and advocacy movement in the 1960s and establishment of the National Trust in Victoria. This was associated the ABC’s failed acquisition of further land from the Rippon Lea Estate and its eventual bequest to the National Trust in 1972.

Mr Trethowan’s evidence identified the *“battle between the ABC and the Commonwealth” and Louisa Jones of Ripponlea*” as significant in the history of the development of the National Trust in Victoria and the conservation movement. He considered the juxtaposition of the current studio complex and the Rippon Lea Estate gardens was a physical demonstration of this battle that took place in the City of Glen Eira.

Ms Watson for the National Trust submitted that the National Trust accepted that the land sold to the ABC by Louisa Jones did not form part of the compulsory acquisition contested at the High Court. She further submitted that it might be more appropriate if the Statement of Significance recognised the site’s significance as belonging to the Rippon Lea Estate more

generally rather than specifically identifying associations with Louisa Jones and the National Trust.

Mr Vale opined that the site had only a secondary relationship with the previous owner of the land of which there are no evident remains. Ms Riddett noted in her evidence that the Victorian Heritage Register Statement of Significance for Rippon Lea does not mention the ABC or sale of part of the estate.

Ms Porter submitted that the land has no great association with the Rippon Lea Estate or with the National Trust and the heritage conservation movement. She identified that 8 Gordon Street was sold to the Commonwealth for an agreed sum in 1956 and was not the subject of the High Court dispute regarding the Commonwealth's powers of compulsory acquisition. This position was supported by the evidence of Mr Vale who considered that the land had only a secondary relationship with the previous owners of the land.

(ii) Discussion

Based on the evidence of Mr Wixted and Mr Trethowan, the Panel considers that the early stage 1 buildings and the transmission tower had a relationship with the broadcasting of the 1956 Olympic Games. This event was a key influence in the timing of the first stages of works to establish the television studios on the site. While there are undoubtedly other structures associated with the broadcasting of the Games across Melbourne, they are likely the only elements within the municipality. The transmission tower is a significant visual element of this activity and with the earliest broadcasting operations of the studios. The early workshop structure that housed the outside broadcast van while of utilitarian design is also an early reminder of this activity. The Panel considers that while the relationship with the broadcasting of the Olympic Games is an important part of the site's history, it contributes only a secondary level of significance.

The fact that the studio site was once part of the larger Rippon Lea Estate is part of the site's evolution and has informed the arrangement of buildings over time. However, the Panel considers that while there are associations with Rippon Lea (and a strong visual relationship with that place) as identified by the National Trust, there is not a strong primary relationship with the legal battle with Ms Jones over land acquisition, the establishment of heritage conservation and advocacy movement or the formation of the National Trust to warrant heritage significance on this aspect alone. The Panel agrees with the evidence of Mr Vale and Ms Riddett in this regard.

The Panel considers that the Gordon Street studios have a clear association with the development of television in Victoria during the 1950s in both the external design of the buildings, the tower and the internal arrangement of spaces around the studios which lie at the heart of the building. While much of the lighting and electrical equipment has been removed from the studios, the spatial arrangement of the studio spaces (floor to ceiling height, lighting hangers and wall lining and remaining fixtures) and their relationship to the control rooms is tangible and requires little explanation to understand what went on there. The adjoining runway and service area rooms while devoid of fittings and furnishings to convey their use, they are an important (although less significant) part of the studio's operations.

The Panel accepts the evidence of Mr Trethowan and considers that the buildings are significant for their association with the early establishment of television in Melbourne and represent an important part of the cultural heritage of Glen Eira.

Panel considers that the Gordon Street studios satisfy Criterion A.

3.5 Criterion B: Rarity

(i) Evidence and submissions

Council adopted the evidence of Mr Wixted and Mr Trethowan, identifying the site as one of only a few of its type and the oldest remaining. Council further submitted that the studios were a special type of industrial building because of its special use and should be treated as such. Council submitted that the use had special design requirements that were reflected in its particular design and appearance.

Mr Trethowan's evidence considered that to satisfy this criterion, "*a place should be one of a small number of places that demonstrate an historical association*". He considered the complex to be one of the pioneering purpose-built studios constructed in Australia, the oldest surviving television studios in Victoria and the last surviving and best preserved ABC studios constructed across Australia in the late 1950s and early 1960s. On this basis, he considered the buildings undoubtedly rare with no local comparison.

Mr Wixted opined that the question of rarity could only be challenged with a comparative analysis of other television studios and heritage listings. He summarised the rarity of the Gordon Street studios based on there being:

- no television studios on the Commonwealth Heritage list or Victorian Heritage Register
- one regional ABC studio (Rockhampton) on the National Heritage list for historic and architectural reasons relating to its former bank use
- one television studio in a Victorian Planning Scheme (ATV-0 at Forest Hill, HO272 Whitehorse Planning Scheme). The former GTV-9 Richmond studios have been converted to apartments and the studios demolished although the site is within a HO associated with its original piano factory use
- one former ABC studio on the Western Australia Heritage Register (Adelaide Terrace, Perth).

Mr Wixted identified that there were few remaining purpose-built, mid-twentieth century television studios in Victoria or ABC studios remaining of this type across Australia. He referred to a number of studios in his evidence that have been demolished and redeveloped or repurposed to demonstrate rarity. In terms of Melbourne based studios these included HSV-7 (Dorcas Street, South Melbourne) and GTV-9 (Bendigo Street, Richmond).

The National Trust submission considered the land and buildings satisfied the Criterion B threshold.

Mr Vale and Ms Riddett opined that the land and buildings did not satisfy Criterion B. Ms Riddett considered the case for rarity overstated and incorrect. She referred to other former studio sites and identified that it had no particular features of the era other than the façade

which was a typical example and not as finessed as other sites (20 and 100 Collins Street, Melbourne).

Mr Vale's evidence identified the building as representative of the Department of Works International Modern style commonly applied to industrial and commercial buildings between the 1950 and 1970 and, with subtle variation, is still in use today. He considered that industrial buildings with these characteristics are not as common in Glen Eira as they are in other locations, because of the traditional land use patterns. He opined that a building type that is uncommon in one area "*because there is little need for such buildings to be repeated there, cannot fairly be said to be rare in a heritage sense*". He considered that rarity for this building type needed to be considered on a wider basis. On the basis that there were other comparable post-war industrial buildings across Victoria, he considered the Gordon Street studios were not rare. Ms Riddett shared this opinion.

Ms Porter identified that significance is not established by applying increasing levels of specificity. She submitted that the building is utilitarian, of limited aesthetic presence presenting as any office or industrial of the era, with fabric that reveals little of early television broadcasting or its internal use.

(ii) Discussion

Aside from the ATV-0 site in Forest Hill, the Gordon Street studios are the only remaining extant purpose-built television studios in Melbourne from the 1950's and 1960's period of television production in Victoria and they are the oldest surviving studios in Victoria. From this perspective the place is rare. However, given the nature of television production and its technological changes this is not unexpected and is in itself an insufficient basis for establishing rarity.

The Panel agrees with Ms Porter that by increasing the specificity of a building type it is more likely to be considered rare. The Panel concurs with the approach adopted by the panel in Whitehorse PSA C157 [2015] PPV which supported a wider comparative analysis approach that extended beyond television studios to a wider range of industrial buildings.

The Panel considers that, as an example of an industrial building applying the International modern style, the stage 2 and 3 buildings are significant in the context of Glen Eira which has limited or no identified examples of this building style. The association of these industrial buildings with the early establishment of television production and elements such as the transmission tower reinforce this significance.

On balance, and accounting for Criterion D and E, the Panel considers that the Gordon Street studios satisfy Criterion B.

3.6 Criterion D: Representativeness

(i) Evidence and submissions

While not included in the Heritage Assessment or Statement of Significance, Mr Trethowan's evidence suggested that the "*building demonstrates in a superior way the characteristics of the television studio dating to the pioneering years of television in Australia*". He opined that in terms of comparable television production studios, the place stood out as a well preserved

and was the first purpose-built television studio in Victoria. Accordingly, he considered the place met Criterion D as one of a class of place with a clear historical association.

Council submitted that the resemblance of the ABC studios at Gordon Street with those at Southbank demonstrate that the Gordon Street studios were an advanced form of studio design.

Mr Vale and Ms Riddett opined that the land and buildings did not satisfy Criterion D. Ms Riddett considered that the buildings were designed in stages and regularly altered and added to keep pace with technology change, with little ability to now appreciate the early form and operation of the studios.

Mr Vale opined that the now vacant building presents as an unremarkable class of industrial building with no spaces or features that are architecturally celebratory.

(ii) Discussion

The Panel considers that the former ABC studios represents a class of place associated with the production of television which makes a significant contribution to Australian culture and identify. The site is significant in that it represents television production from its establishment in Victoria and the building elements associated with it are still broadly intact.

Despite building alterations and additions overtime as the studios grew and production methods changed, the key building elements are still observable and able to be understood. While much of the technical equipment and other ancillary materials have been removed from the building, the key internal studio spaces, control room, runway and adjoining rooms along with the transmission tower clearly demonstrate the building's role as a television studio.

The transmission tower is a significant site element and provides a distinctive and recognisable landmark as well as a clear link with the site's original use.

While there are other operating television studios like the Southbank Centre in Melbourne, and these sites have similar studio spaces and support areas that can be observed, they are not associated with the early beginnings of television in Victoria. In this regard, there is a case to be made that they have at least local level significance as a representation of this class of building in Glen Eira as well as an example of building design of the Commonwealth Department of Works from the 1950s and 1960s.

The Panel considers that the Gordon Street studios satisfy Criterion D.

3.7 Criterion E: Aesthetic significance

(i) Evidence and submissions

Council relied on the evidence of Mr Wixted and Mr Trethowan to conclude the subject land satisfies Criterion E.

The evidence of Mr Trethowan suggested that to meet this criterion "*the physical fabric of the place needs to clearly exhibit a particular aesthetic character*". He identified that the utilitarian design was an important characteristic of the history and style of the site part and adopted a Post-war period design used by the Commonwealth at the time. Common elements to this style were cubiform shapes, expressed structural frames and glass curtain walls. He

supported the Heritage Assessment's conclusion that the complex has aesthetic significance at a local level, as it is a distinctive, well preserved example of the functionalist International style aesthetic with no comparable places in the municipality.

Mr Wixted identified the building as a rare example of a Post-War International style in Glen Eira and one of only a few government or institutional buildings with an aesthetic presence.

The National Trust submission considered the land and buildings satisfied Criterion E.

Mr Vale's and Ms Riddett's evidence identified that the land and buildings did not satisfy the Criterion E threshold. Ms Riddett considered that stage 2 and 3 building facades utilised a standard design of the time and there was no evidence that the International style was any more popular than any other architectural practice of the day. She considered the facades of the workshops were back of house and utilitarian in design, demonstrating nothing of interest or significance.

Mr Vale identified that almost all buildings designed by the Department of Work in the International Modernist style from 1950 to 1970. He identified the curtain wall as a characteristic of this style but that the windows would need to be removed to make the building safe as the fixing sealant used contains asbestos. His evidence also identified what he considered to be better examples of the style at page 16 of this evidence. Mr Vale further pointed to the fact that the building had not been identified by the National Trust or Australian Institute of Architects as an exemplar of the style.

Mr Popper (submission 2) considered that the buildings had an industrial or commercial appearance which would appear ugly to residents and the general public. Conversely Mr Hayward considered the façade a "mid-century modern marvel". Mr Trethowan observed that the public perception of a building's appearance was not relevant when considering its significance.

(ii) Discussion

The VHR Guidelines include commentary on what is meant by "*aesthetic characteristics*". It suggests that they relate to the visual qualities of the place including "*form, scale, setting, unity, contrast, colour, texture and material of the fabric...*". The Guidelines state that aesthetics is not about beauty.

All the heritage evidence concurred that the design of building stages 2 and 3 employed the International modern style which was evident in the form and massing of the buildings and use of glass curtain wall treatments. The Panel accepts that this style was widely used and may be found in many commercial and industrial buildings of that era across Melbourne and that there are likely to be much better examples elsewhere.

The Panel considers however, that the Statement of Significance appropriately identifies that the building is distinctive and a well-preserved example of the International style. The form and building features can be readily viewed from various vantage points on Gordon Street. The Panel relies on the evidence of Mr Wixted and Mr Trethowan and considers that the building has a level of aesthetic significance attributed to the International style which is likely to be unique in the municipality.

The Panel considers that the transmission tower has a level of aesthetic value. It articulates the former use of the site and acts as a local landmark.

The Panel does not accept the evidence of Mr Vale that the potential presence of asbestos laden materials within the building diminishes the level of significance that might be attributed to this criterion. Should the Heritage Overlay be applied to the site, the fixtures will be managed through the planning permit process.

The Panel considers that the Gordon Street studios satisfy Criterion E.

3.8 Criterion F: Technical significance

(i) Evidence and submissions

Council relied on the evidence of Mr Wixted and Mr Trethowan to conclude the subject land satisfies Criterion F.

Mr Trethowan's evidence identified that to satisfy this criterion:

A place should contain physical evidence that clearly demonstrates technical achievement for the time it was created, with a high degree of integrity to the physical evidence. Some recognition of this achieved should be recognised.

Mr Trethowan referred to a 1958 *Architecture Today* article which referred to some of the equipment and services that were considered cutting edge at the time. He considered that elements of the studio complex remain evident including sound proofing, ceilings and light risers while the building design responds to the new technology of television. As the only surviving example of the Australian Government's innovations associated with the introduction of television in the late 1950s, he considered that the complex was most likely unique at the local level.

Mr Wixted's evidence identified that the buildings exhibit a high degree of creative and technical achievement in television studio design, production and broadcasting and the transition from video to digital technology which related to different stages of the building's development.

The National Trust submission considered the land and buildings satisfied Criterion F.

Mr Vale and Ms Riddett opined that the land and buildings did not satisfy Criterion F. Ms Riddett identified that any fabric evidence is now retained at the ABC's Southbank Centre and that it was the medium of television that had significant influence on society rather than the place that produced it at the time. She identified that the buildings were an enclosure of the program making process and, in this respect, have a similar association with ABC and other television studios that have been adapted, demolished and rebuilt over time.

Mr Vale's evidence considered that the building demonstrated an awareness of overseas trends but did not add a layer of creativity, given it utilised a commonplace construction system for commercial and industrial buildings across Australia. He indicated that with the removal of asbestos laden materials, far fewer fixtures will remain.

(ii) Discussion

It is likely that the studios adopted design elements used internationally at the time such as the design of the BBC studios in the United Kingdom. However, the Panel accepts the evidence of Mr Vale that there is little in the Heritage Assessment or Statement of Significance that links the design of the Gordon Street studios with informing the design of later television studios (although the same arrangement of studios and internal space is apparent).

Most of the equipment and services Mr Trethowan referred to in relation to the Architecture Today article has been removed. While the Panel considers that there are still fixtures which link the studio spaces with their former use including lighting hangers, and there remains a spatial relationship between the studios and control room and support rooms, these do not readily demonstrate technical achievement. There is insufficient evidence of a significant technical achievement to meet Criterion F.

The Panel considers that the Gordon Street studios do not satisfy Criterion F.

3.9 Criterion G: Social significance

(i) Evidence and submissions

Council relied on the evidence of Mr Wixted and Mr Trethowan to conclude the amendment satisfies Criterion G. It also referred to Whitehorse PSA C157 [2015] PPV for the former ATV-0 site which attached social significance to the programs produced there.

Mr Trethowan's evidence identified that a "*strong or special association with a particular community or cultural group*" was required to establish social significance. He considered that the ABC community, with its fellowship of employees and artists, Friends of the ABC and viewers meets the criteria of a cultural group based around a cultural activity (television and broadcasting). He opined that the studios were the physical embodiment of ABC television in Victoria with regular references to the studios in news and other productions and as a venue for audiences.

Mr Wixted concluded that the influence and cultural significance of the ABC is well understood and documented and the association between the studios and the ABC community well understood at a state and local level. He also extended the concept of social significance to include staff and those involved in production and technical crews as well as the particular associative connection for audiences participating in programs such as Countdown.

The National Trust submission considered the land and buildings satisfied Criterion G.

Mr Vale's and Ms Riddett's evidence identified that the land and buildings did not satisfy Criterion G. Mr Vale opined that the link with the building and special association to be tenuous, and that "*the buildings and their site cannot compete for significance with the documentary evidence for the creative output of the ABC television staff and guests over this period.*" He opined that the buildings were not designed to exalt themselves to those that used them.

Ms Porter submitted that it was critical not to assess social significance by attaching nostalgia and sentimentality to the place of production rather than the output. She considered the place of production has little to do with the social significance of the output. Ms Porter

cautioned attaching significance to the employees of a place when considering cultural significance.

(ii) Discussion

Submissions and evidence to the Panel identified that the ABC community comprised staff and actors associated with the production of programs at Gordon Street and members of the broader community who attended live programs such as Countdown or were part of the Friends of the ABC. The Panel accepts that PPN01 and the VHR Guidelines could be used to distinguish these groups as part of a 'community'. The Panel considers that this community would have a nostalgic connection with the site. However, with its closure, there is limited opportunity for an ongoing association or connection of that community with the site.

Submissions were made by Council and the ABC and through the evidence of Ms Riddett concerning the attachment of social value to places of public entertainment including sporting venues such as Waverley Park and the Melbourne Cricket Ground. Some guidance about the types of places that may satisfy Criterion G is included in the VHR Guidelines. In addition to places of public entertainment, the Guidelines refer to places associated with recent significant events or places with special meaning for particular communities.

The Panel considers that the former studios were associated with a significant social event (advent of television in Australia) and involved the production of seminal programs however the broader community's association with the studios has not been sufficiently documented or strongly established. Unlike Waverley Park or Festival Hall where the community's connection with those sites was predominantly through attendance at events, the Gordon Street studio's community association is less tangible (although the studios were sometimes referred to in broadcasts and audiences did attend the production of shows like Countdown) and predominantly experienced through watching the programs produced there.

At present, with the studios closed, the community is unable to view and experience the studio spaces where the programs were filmed and produced and televised. The community's appreciation of the studios is limited to street views of the site buildings and transmission tower. The Panel considers that this diminishes the ability for the place to meet the social significance threshold.

While the Panel doesn't diminish the value of the studios as the place where significant programs were produced it considers that this connection has not been well made in the Heritage Assessment or Statement of Significance. The Panel notes that few supporting submissions to the Amendment have been made by the broader community including from the Friends of the ABC, however it has not attributed any weight to this.

While the place has a level of secondary significance for former staff, actors and sections of the community, the Panel considers on balance that the Criterion G threshold has not been sufficiently demonstrated.

The Panel considers that the Gordon Street studios do not satisfy Criterion G.

3.10 Criterion H: Associative significance

(i) Evidence and submissions

Council relied on the evidence of Mr Wixted and Mr Trethowan to conclude the subject land satisfies Criterion H.

Mr Wixted's evidence relied on the findings of the Heritage Assessment but included additional information on Oscar Gimsey, an architect for the Commonwealth Public Works Department in Melbourne between 1951 and 1955 who became the ABC's architect in 1959. Mr Gimsey likely had an association with the site's development, produced a thesis on television studios which identified a construction sequence which differed slightly from that identified in the Heritage Assessment. Mr Wixted also attributed significance to the special association with Louisa Jones and the ABC General Manager from 1935 – 1965, Sir Charles Moses.

Mr Trethowan's evidence suggests that the Heritage Assessment correctly links the studios with the life and careers of individuals with the development of entertainment and broadcasting in Victoria and Australia. He supported the inclusion of the new material identified by Mr Wixted relating to Oscar Gimsey in the Statement of Significance.

The National Trust submission considered the land and buildings satisfied Criterion H.

Mr Vale and Ms Riddett opined that the land and buildings did not satisfy Criterion H. Mr Vale identified that the building was the enclosure for the creative process and it was only occasionally celebrated in broadcasts and it is the documentary record that is of social and creative significance.

Ms Porter concluded that it was the historic and continuing output that is the associative significance, not the building.

(ii) Discussion

The information relation to Oscar Gimsey was not disputed although it was introduced late in the Amendment process. The Panel has little information available to determine whether Mr Gimsey is particularly important in the history of Glen Eira, the site, the ABC or more widely. The Panel acknowledges that there is a secondary relationship with the storey of Rippon Lea and Ms Jones but considers that it is not of a level to meet Criterion H. Little evidence was provided to the Panel about the particular significance of Sir Charles Moses although it is acknowledged that he and Mr Gimsey have significance in the storey of the development of the ABC.

The Panel considers that the Gordon Street studios do not satisfy Criterion H.

3.11 Conclusions

While the heritage evidence came to different conclusions about the site's level of heritage significance the Panel considers that the Heritage Assessment is generally sound. It considers that the Heritage Citation and the broader content of the Statement of Significance meets the requirements of PPN01.

To support the application of a Heritage Overlay at least one HERCON criterion should be met. Based on the evidence, submissions and information available the Panel considers that the ABC Gordon Street Studios:

- satisfy at least three Criterion (Criterion A, B and E)
- probably satisfy Criterion D
- do not satisfy Criterion F, G and H.

On this basis, the Panel considers that the place has cultural heritage significance at the local level and that there is something tangible to manage through the application of a Heritage Overlay.

The Panel concludes:

- That the ABC Gordon Street Studios has a local level of heritage significance that would support applying the Heritage Overlay.

4 Should the Heritage Overlay be applied?

4.1 The issues

In considering whether the Heritage Overlay should be applied the issues are:

- Whether it will impact on the achievement of other strategic objectives of the Glen Eira Planning Scheme.
- Whether it will have negative economic and social impacts.

4.2 Relevant policies, strategies and studies

(i) Planning and Environment Act 1987

In the case of an amendment, section 12 of the Act requires the planning authority to have regard to the objectives of planning in Victoria, the Victorian Planning Provisions and Municipal Strategic Statement and other documents which form part of the scheme, and to take into account the social and economic effects of the amendment (section 12(2)(c)).

(ii) Urban Villages Policy

Clause 22.05 - Urban Villages Policy applies to the Bentleigh, Carnegie and Elsternwick shopping centres with the aim to:

... introduce urban village structure plans into the Local Planning Policy Framework – to strengthen the retail role of the centres, and create areas of varied residential densities and mixed uses close to fixed transport routes. This will also provide greater certainty to both residents and developers about preferred development and uses throughout these areas, with particular attention to higher residential density areas, and key redevelopment sites.

The policy includes a general provision that:

Development in an area affected by a Heritage Overlay be encouraged to retain contributory heritage buildings and incorporate these buildings into the overall development.

The policy identifies the extent of the Elsternwick urban village (Figure 9) which performs a subregional retail role. The subject land is located within 'Precinct 7 ABC and Police Station Site' to the north western edge of the village which identifies that:

The combined ABC and Police Station site be recognised as a unique opportunity for large scale development subject to an appropriate landscape treatment and setback to Rippon Lea.

(iii) Clause 71.02 (Operation of the Planning Policy Framework)

Clause 71.02-1 (Purpose of the Planning Policy Framework) identifies that:

The Planning Policy Framework seeks to ensure that the objectives of planning in Victoria (as set out in section 4 of the Act) are fostered through appropriate land use and development planning policies and practices that integrate relevant environmental, social and economic factors in the interests of net community benefit and sustainable development.

Figure 9 Elsternwick urban village

Clause 71.02-3 (integrated decision making) identifies that:

Society has various needs and expectations such as land for settlement, protection of the environment, economic wellbeing, various social needs, proper management of resources and infrastructure. Planning aims to meet these needs and expectations by addressing aspects of economic, environmental and social wellbeing affected by land use and development.

Planning and responsible authorities should endeavour to integrate the range of planning policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations.

(iv) Planning Practice Note 46

PPN46 identifies that in addressing whether an amendment implements the objectives of planning and identifies any environmental, social and economic effects:

An environmental, social and economic assessment should include an evaluation of the costs and benefits to businesses and the community arising from any requirement of the amendment.

The practice note identifies that:

The normal way of assessing the social and economic effects of an amendment is to consider whether or not the amendment results in a net community benefit.

(v) Elsternwick Structure Plan 2018-2031

The adopted Structure Plan identifies the Gordon Street site as Strategic Site A (Figure 10). The Structure Plan states that strategic sites will have a focus on delivering housing diversity, employment and community benefit with active commercial uses at ground floor, with employment uses above and residential upper levels. For the studio site the Structure Plan proposes its reuse for employment purposes, particularly associated with the creative

industries, and public open space. The Structure Plan identified the key elements and considerations for the site to include:

- establishing future use and development of the site that makes a positive contribution to the Elsternwick community
- investigate the heritage value of the buildings on the site
- explore opportunities to create a local park on the site, focused on the existing car park and hard surface areas
- ensuring a sensitive response to the Rippon Lea Estate to the north and minimising impacts on the views from the Rippon Lea gardens.

The Structure Plan identifies a building height range for the site of between 6 (preferred) to 8 (maximum) storeys. The Structure Plan has not been implemented into the Planning Scheme and there is no current Amendment under consideration to do so.

Figure 10 Excerpt from Elsternwick Structure Plan



4.3 Social and economic impacts

(i) Evidence and submissions

The submissions of the ABC, Mr Popper and Mr Grinblat (Submission 4) and the evidence of Mr Vale and planning evidence of Ms Peterson identified several potential social and economic impacts associated with applying the Heritage Overlay including:

- the lack of any social or economic analysis of the impacts of the Amendment
- the costs associated with protection including the reduction of development and re-use potential
- the ability to achieve the strategic policy objectives for the site and the Elsternwick urban village.

Social and economic analysis

Ms Porter submitted that the limited references in the Explanatory Report did not amount to a proper consideration of the social and economic effects of the Amendment. She identified that Council did not appear to be aware of the constraints already imposed on development of the site. These were identified in Ms Peterson's planning evidence and resulted from the ABC's work with the National Trust to ensure views from the Rippon Lea Estate would not be adversely impacted by future site redevelopment of the ABC site. The constraints include an easement on title preventing the construction of buildings along the common boundary with the Rippon Lea Estate. The title also includes a restrictive covenant activated by the transfer of land imposing building heights (up to 3 storeys within the carpark area and 5 to 8 storeys within the existing building area) to minimise views of new development from the Rippon Lea Estate.

Ms Porter referred to the small number of supportive community-based submissions in support of the Amendment as an indicator of a low level of community interest and concern about the site's protection.

Council's submitted that the conservation of the place by recognising its heritage significance without prohibiting its development would benefit present and future generations.

Costs and development potential

Mr Grinblat questioned the costs to the land owners of applying the Heritage Overlay and whether recording the site details was a preferable outcome to the preservation of a building that was not readily adapted to other uses.

Mr Popper's submission described the tower as a non-functioning relic which should be removed. He considered that the tower could be unsound or unsafe and any repairs to it, expensive. Ms Porter also identified the ongoing costs associated with maintaining a steel tower which provided no purpose, in a corrosive environment.

Mr Vale's evidence identified the extent of asbestos laden materials present within the building structures, sections of roofing, services and adhesive materials around the class curtain wall windows. He considered that there would be further loss of original fabric if the buildings were to be preserved or re-purposed. Ms Porter submitted this would involve significant cost.

Mr Popper submitted that the application of the Heritage Overlay would prevent the building being used for residential purposes, compromising future development.

Ms Peterson's evidence considered that the likelihood of having to retain buildings of primary and contributory significance because of the Heritage Overlay and the difficulty in adapting the internal spaces and obtaining ventilation and daylight sunlight, limited residential and commercial use outcomes. Her evidence included a residential development yield study comprising drawings of three options prepared by DOIG Architecture. The options analysed were: full site development (320 dwellings), development consistent with the Structure Plan, and development with the Heritage Overlay in place (106 dwellings). The study identified a potential dwelling yield reduction of 75 per cent as a result of the Heritage Overlay.

The evidence of Mr Vale and Ms Riddett considered that applying the Heritage Overlay would limit the building's use and development.

Council's submission acknowledged that while the Heritage Overlay introduces an additional layer of control, it did not preclude buildings and works altogether. Council considered that the question of economic impact and development constraints are matters for the permit stage. It considered that the primary consideration ought to be the recognition and documentation of the significance of the land firstly, and secondly that it be appropriately managed. Council further submitted that property value impacts were not a relevant matter to be taken into account.

In relation to issues of structural integrity (the tower) and condition (asbestos levels), Council submitted that they are irrelevant matters, or matters for consideration at the permit stage of development.

Strategic objectives

Ms Peterson considered that the Amendment would impact significantly on the ability of the site to contribute to the policy objectives of the scheme, particularly those associated with urban consolidation and the provision of diverse and affordable housing. She referred to:

- the Planning Policy Framework clauses 11.01-1S and 11.02-1S regarding consolidation, Clause 15.01-4R regarding 20 minute neighbourhoods, Clause 16 regarding affordable housing
- Plan Melbourne's designation of Elsternwick as a major activity centre
- the MSS land use vision and Clause 21.04 regarding provision of additional and diverse housing and the role of urban villages
- Local Planning Policy – Clause 22.05 regarding the large scale development opportunities identified for the site within the Elsternwick Urban Village
- site directions within the Structure Plan.

Ms Peterson identified that the majority of the municipality's housing growth was directed to urban villages and sites such as the ABC site had a key role to play in accommodating population growth and provision of affordable housing. She opined that the HO would significantly reduce the sites meaningful contribution to urban consolidation and housing diversity and downplay the role of urban villages amongst other impacts.

Ms Peterson concluded that given the strategic implications, *"the site would need to display significant heritage benefits to outweigh the disbenefits associated with the significantly reduced development potential of the subject site imposed by the proposed HO156"*. She opined that a borderline level of significance was not sufficient if net community is to be achieved.

Mr Vale's evidence suggested that the building did not lend itself well to residential use and that with the Heritage Overlay, its likely functional use would need to be commercial or industrial.

The National Trust acknowledged the evidence of Ms Peterson but considered the only issues of relevance in considering the application of the Heritage Overlay to be whether it has heritage significance. Ms Watson submitted that it was more appropriate for competing planning objectives to be resolved at the permit stage and that it was appropriate for a trigger

to exist for the significance of the site to be appropriately considered and interpreted as part of future development.

Council submitted that the implementation of the Structure Plan into the scheme through the application of zones was far from imminent. Council submitted that the Heritage Overlay was an appropriate tool to properly manage the heritage significance of the site and balance state and local level policies for additional housing, including Clauses 21.10, 21.04 and 22.05. Council considered that the implementation of the Structure Plan would see a transformation of the current Urban Villages policy.

(ii) Discussion

Social and economic analysis

The Panel notes that while PPN46 identifies ways in which social and economic (and environmental) impacts can be assessed, there is no particular guidance about the level of detail required.

The Panel considers that the level of social and economic analysis of the impacts of the Amendment undertaken by Council to be modest at best (at least as part of the Amendment documentation). There is limited reference to it in the Explanatory Report. The Panel considers however, that it is reasonable to conclude that Council, in preparing the Amendment and in preparing the Structure Plan (which identifies the need for analysis of the site's heritage values and site development opportunities and included housing analysis) has contemplated them. The Panel notes that the Council has identified its intention to apply limited external painting controls and allow prohibited uses which in part acknowledges some of the constraints applied by the Heritage Overlay.

The Panel considers that the level of analysis required should relate to what is being proposed by the Amendment. In this case, the Amendment applies to a single site and not to a wider area and its impacts are confined to the site. Council has acknowledged that the Heritage Overlay may restrict site development but has also articulated an understanding that the site's use and level of development will change as acknowledged in Clause 22.05 and the Structure Plan.

The Panel has not attributed any particular significance to the low number of submissions from the broader community supporting the Amendment as an indicator of low social benefit.

Costs and development potential

The Panel agrees with the ABC and its experts that applying the Heritage Overlay to the site will limit the sites development potential particularly if extensive elements of the building are to be retained. This was not disputed by Council.

The Panel found the site development options work undertaken as identified in Ms Peterson's evidence to be useful in understanding different potential development outcomes. However, the exercise lacked a broader appreciation of other policy and site context factors that might otherwise form part of a permit proposal.

The Panel acknowledges that there will be a cost to maintain structures like the transmission tower, to enable building alterations to repurpose internal spaces, or to retain facades and

remove asbestos materials. The question for the Panel is whether the potential negative economic impacts on the ABC as owner of the site because of its potential lower development yield outweighs other economic or social benefits. Positive social and economic impacts are difficult to quantify and often intangible in the absence of any analysis. The Panel considers that the negative economic impacts associated with a sub-optimum site development do not extend outside the site and that there are potentially wider economic benefits for the Elsternwick Urban Village associated with the retention of sites of historical and cultural significance.

The Panel has concluded that the Gordon Street studios have cultural heritage significance at the local level. This is not a situation where the significance level is borderline with at least three Criteria met. As a result, it is considered that a detailed exercise of understanding and balancing the various social and economic benefits of the proposal is not necessary or particularly determinative. The Panel considers that the potential impacts on the site's development are relatively short-term impacts with the broader social benefit of retaining a place of cultural heritage significance having a more enduring impact.

The Panel notes that economic and social considerations can be further examined in more detail at the permit stage which would enable issues of structural condition and existence of asbestos to be more fully considered.

The Panel further notes that the submissions of Council and the National Trust acknowledged that the Amendment was focused on providing a mechanism that recognised the heritage significance of the place and provided a way to manage its development and future use in an appropriate way. Council's approach to the Amendment has not been to lock the site away from future development. The submissions of Council and the National Trust identified that the site would change in response to growth and the evolving Elsternwick Urban Village strategy.

Strategic objectives

While the Structure Plan identifies a future role for the subject land, the Panel has given limited weight to it given there is no current Amendment in train to implement it. Consequently, the key policies of relevance are those contained in the Planning Policy Framework and Local Planning Policy Framework which seek to balance heritage recognition with the provision of housing diversity to meet population growth in accessible locations including activity centres.

Clause 22.05 seeks to protect and enhance heritage and retain contributory buildings and incorporate them into overall development. While the Panel has concluded that the site has heritage significance at the local level, the site is an opportunity site for a "*large scale development*" as identified in Clause 22.05. It is a reasonable expectation that the site be able to contribute in some way to achieving the urban village and housing policy objectives. The site's Residential Growth Zoning further reflects the sites future role as does Council's broader approach to the future of the site as identified in its submission.

The Panel does not consider that the Amendment will reduce the sites contribution to urban consolidation and housing diversity in any significant way or undermine the role of the Elsternwick urban village. The site without the Heritage Overlay could readily be developed

for residential purposes (consistent with existing scheme provisions), however contextually it is at the edge of the Elsternwick Urban Village and has an interface with a Neighbourhood Residential Zone and a Heritage Area Precinct. This would require a transitional built form treatment to Gordon Street. While Ms Peterson's evidence identified a potential development yield reduction of 75 per cent, the yield loss in housing supply or diversity terms is not significant for Elsternwick or the broader municipality. The site however can still make a modest contribution (107 dwellings based on Ms Peterson's evidence) to supply and housing diversity with the Heritage Overlay in place. The allowance of prohibited uses also provides for commercial or other non-residential use of the site which is consistent with Clause 22.05. The Panel considers that the Amendment provides a reasonable response to the relevant policy elements of the Scheme by identifying a heritage place and applying the Heritage Overlay to manage an appropriate level of protection and which still supports future residential or mixed-use redevelopment.

The Panel acknowledges that the conversion of parts of the site to residential or other commercial use will be challenging and require creative architectural and design responses. The re-use of the site will require alteration to building fabric to enable its full and proper utilisation. For this reason, how the internal controls are applied and what building fabric is identified as of primary significance will be important to ensure a balance of heritage recognition and site use policy objectives. This is discussed in Chapter 5.

4.4 Conclusions and recommendations

The Panel concludes:

- The Amendment provides a reasonable balance against the different policy objectives and will not significantly impact on the achievement of the housing and activity centre strategic objectives of the Glen Eira Planning Scheme.
- The economic impacts of the Amendment will not extend beyond the site.
- The Amendment will result in net social and economic community benefit.

The Panel recommends:

- **That the Heritage Overlay be applied to the former ABC Gordon Street Studios.**

5 How should the Heritage Overlay be applied?

5.1 The issues

The issues are:

- Whether internal, external painting and tree controls should apply.
- Whether the Statement of Significance should be amended.

5.2 Internal controls

(i) Evidence and submissions

The evidence from Mr Trethowan considered that the main studios are the core and reason for the building and that internal controls are appropriate to ensure their retention. He indicated that the internal controls needed to be very precise in terms of their delineation so as to remove doubt about what should be retained or removed.

Mr Trethowan's evidence included a plan showing significant internal spaces of primary and contributory importance that he proposed be included in the Statement of Significance (Figure 11). The spaces he identified of primary significance included Studios 31, 32, 33A and 33B and the adjoining ancillary spaces at ground level (including control room and dressing rooms) and the adjoining upper level studio control and ancillary rooms. He considered the studio fabric including sound proofing, ceilings and risers and air conditioning infrastructure important to retain. The contributory internal spaces were identified as including the ancillary rooms at ground and first floor adjacent to the corridors adjacent to the studios and a portion of the scenery runway and scenery workshop which included the tower.

Figure 11 Alternate extent of significant internal space



Ms Riddett opined that only the actual studio spaces have any recognisable attributes relating to their purpose. She identified that the studios were almost identical to those at the ABC Southbank Centre including the relationship with control booths and lighting fixtures and therefore not unique. Ms Riddett considered the Gordon Street studios were absent much of the equipment and elements such as original soundproofing, lighting, electrical equipment. She considered the scenery runway and dressing rooms and other areas are difficult to ascertain without explanation and as a result they engender little interest. She opined that this arrangement of rooms and spaces can be found at Southbank or other studios and what is left at Gordon Street is a *“forlorn collection of uninspiring spaces”*.

Ms Riddett indicated that the heritage assessment provided no clear indication as to which internal features were significant. She considered internal controls should be used sparingly and to special interiors of high significance and not based on vague or unclear documentation or deferred until a Conservation Management Plan is prepared.

Mr Vales’ evidence did not support the application of internal controls given the extent of internal alterations and material removal and extent of asbestos laden materials.

The ABC did not support the application of internal controls. Ms Porter cautioned that their use and the use of vague descriptive language would significantly limit development.

Council supported the use of internal controls based on the Heritage Assessment and evidence of Mr Trethowan. In response to Mr Trethowan’s evidence, Council provided a revised Statement of Significance (Document 21) which included a revised area of significance diagram generally based on Mr Trethowan’s evidence and as shown in Figure 11. It identified the significant internal areas as comprising:

the former Television Studios 31, 32, 33A and 33B, the scenery runway, the dressing rooms, Studio 33 control room, toilets and control room, the master control room, the control rooms, the dressing rooms, the studio 31 audio suite, studio 31 control room, studio 31 and 32 equipment room, master control room, the edit suite 2, store rooms at ground and first floor, sport office, old master control room, equipment room graphics and camera room and the area immediately surrounding the pylons of the transmission tower.

The revised document identified that the important elements of the studio comprised *“the soundproofing, lighting hanging boards and the relationship between the studio floor and the master control rooms above”*.

Council provided the Panel and the ABC with a subsequent version of the Statement of Significance (Document 22) after the Hearing. The Panel notes that while the wording is different, the content is largely the same as Document 21. It identifies the internal areas of significance as comprising:

- At ground floor: the former Television Studios 31, 32, 33A and 33B, the scenery runway, the dressing rooms, Studio 33 control room, store room and the area immediately surrounding the pylons of the transmission tower.
- At first floor: Studio 31 audio suite, Studio 31 Control room, Studio 31 & 32 equipment room, master control, edit suite 2, sport office, (old) master control, store room, equipment room graphics and camera room.
- At second floor: studio 31 and 32 hoist room, high end and scenery hoist room.

- The important elements of the studios include the soundproofing, lighting hanging boards and the relationship between the studio floor and the master control rooms above.

(ii) Discussion

PPN01 identifies that internal controls should be used sparingly on a selective basis to interiors of high significance. The Panel agrees with the evidence of Mr Trethowan that the studios spaces are central to the buildings heritage significance and to understanding the former operation of the place. This includes the studios themselves as well as the soundproofing and lighting hangers, the relationship to control rooms and to a lesser degree the ancillary support rooms. The Panel considers that internal controls are appropriate to manage those spaces appropriately.

The Panel generally supports the extent of primary and contributory significance for internal spaces identified by Mr Trethowan and identified by Council in Documents 21 and 22.

The Panel agrees that the existing Statement of Significance and Heritage Assessment are not sufficiently clear as to the extent of significant internal spaces and what fabric (including fixtures and services) are significant.

The Panel notes that turning on internal controls effectively means all internal building areas will require a permit for changes. The Panel therefore supports adding a greater level of specificity in the Statement of Significant about the extent of internal controls and what fixtures and fabric is significant. The changes proposed by Council in Documents 21 and 22 assist this, although the 'Areas of significance diagram' does not convey the internal floor space arrangements at different levels.

The preparation of a Conservation Management Plan for the site will be important to determine the extent of internal significance. Council is encouraged to work with the owners of the site (if not the ABC) to support the preparation of a Conservation Management Plan. Given the complexity of the site Council is also encouraged to work with the land owner to develop an incorporated document providing permit exemptions for internal, external painting and other minor façade and building works for inclusion in the Glen Eira Planning Scheme to provide greater guidance and certainty for future site development.

(iii) Conclusions and recommendations

The Panel concludes:

- That internal controls are appropriate and relevant to conserving the identified heritage values.
- The 'What is significant' part of the Statement of Significance should be amended to generally in accordance with Document 22 to provide greater clarity about the extent of internal areas and elements of significance (primary and contributory) including through the use of additional significance diagrams.

The Panel recommends:

Amend the Statement of Significance under 'What is significant' to:

- **Replace dot point three with a new description of the significant internal areas that is included in the Document 22 version of the Statement of**

Significance, along with the inclusion of new ‘Areas of significance’ diagrams that identify the rooms and spaces of primary and contributory significance at different building levels.

- **Replace the fourth dot point relating to important elements of the studios with the following revised wording:**
 - *The important elements of the studios include the soundproofing, lighting hanging boards and the relationship between the studio floor and the master control rooms above.*

5.3 External painting

(i) Evidence and submissions

Ms Riddett opined that in the event of the Heritage Overlay, external paint controls might be acceptable if they were aimed at retaining the original colour. Mr Vale’s evidence suggested that colour considerations should be left to the development stage. The ABC’s submission did not support the application of external painting controls.

Council supported the use of external paint controls based on the significance of the transmission tower and its visual impact and visibility from within the site. Council’s amended Statement of Significance (Documents 21 and 22) sought to qualify the significance of the transmission tower by referring to its original paint colours.

Council acknowledged that while the Statement of Significance sought paint control for the tower only, the effect of the Heritage Overlay Schedule structure was that it was effectively switched on for all external fabric.

(ii) Discussion

The Panel agrees that the prominence of the tower and its visibility from within the site and as an element of site significance should have paint controls applied. While the colours have not been specifically identified they would appear to be orange and white. It is considered that using the schedule paint controls is relevant to conserving the identified heritage values of the tower and the place.

The Panel supports the Statement of Significance being amended to identify that the original colours of the tower are part of its significance.

The Panel notes that turning on external paint controls effectively means all building and structure exteriors will require a permit for painting a different colour or an unpainted surface. The Panel acknowledges that the application of external painting controls (outside of maintenance) may require additional permits over time. It is likely however, that any future site development will include external paint considerations as part of a single comprehensive site development. As identified above, the preparation of a Conservation Management Plan for the site will be important to guide external painting along with an incorporated document including appropriate Heritage Overlay permit exemptions. Council is encouraged to develop an appropriate incorporated Heritage Overlay exemptions document for the site in consultation with the ABC or future land owner and implement it into the Glen Eira Planning Scheme as soon as practicable in support of the Amendment.

(iii) Conclusion and recommendations

The Panel concludes:

- External paint controls should apply.
- The 'What is significant' part of the Statement of Significance should be amended in accordance with Document 22 to identify paint controls for the transmission tower.

The Panel recommends:

Amend the Statement of Significance under 'What is significant' to:

- **In the first dot point after the words '*transmission tower*' add '*and for the purpose of paint controls, its original colours*'.**

5.4 Tree controls

(i) Evidence and submissions

The initial submission from the National Trust sought the Heritage Overlay Schedule to provide for the tree control provisions to be activated. At the Hearing, the National Trust indicated that it was unable to confirm whether any of the site trees remain from when the site was part of the Rippon Lea Estate or from the 1950s site landscaping. It conceded that further evidence would be required to justify such controls being activated.

The evidence from Mr Trethowan noted that the Heritage Assessment identified a cypress and older trees in the carpark area that were possibly left over from the original Rippon Lea Gardens. He indicated that if this was the case tree controls should apply. He opined they should also apply to any trees surviving from the original 1958 landscaping.

Mr Vale's considered that the trees provided amenity value and the larger trees could be protected by a Significant Landscape Overlay but that it appeared no trees remaining from when the site was part of the Rippon Lea Estate gardens. He also agreed that if any trees did remain they would be of some cultural value.

Council submitted that it was open to the Panel's recommendations in relation to carrying out further arboricultural work to investigate whether the application of tree controls had merit.

(ii) Discussion and conclusions

Neither the National Trust or the heritage evidence was able to identify a connection between the site's gardens and its former association with the Rippon Lea Estate gardens or a particular significance for the original 1950s landscaping. On this basis the relevance of tree controls to conserving the identified heritage values has not been established. Tree controls are therefore not supported at this time.

The Panel agrees that if an association with any vegetation with the former Rippon Lea Estate could be established this would create a case for the cultural heritage values of the trees to be identified through the Heritage Overlay Schedule's tree controls. This significance might be further enhanced if it can be established that the remaining site vegetation is closely representative of the original 1950s landscaping. This would require an arboricultural assessment to be undertaken. This is a matter for Council to further consider in balance with the policies for the Elsternwick Urban Village.

While the more mature site vegetation does provide an attractive setting for the building, based on existing information the vegetation is not sufficiently significant, particularly in an industrial or commercial site context, to warrant to support the application of tree controls.

The Panel concludes that:

- Tree controls should not apply.

5.5 Prohibited uses

(i) Evidence and submissions

Ms Riddett considered that allowing prohibited uses is likely to require alterations to enable spaces to be adapted contrary to the proposed internal controls. Mr Vale's evidence suggested that the building did not lend itself well to residential use and that with the Heritage Overlay, its likely functional use would need to be commercial or industrial. His evidence identified a number of potential commercial uses.

(ii) Discussion and conclusions

The Panel supports the allowance for prohibited uses to be considered at the permit stage for the site. This is consistent with its role as an opportunity site within the Elsternwick Urban Village. The provision also acknowledges that the use of site buildings and responding to the significance of internal spaces will need allow consideration of a broader range of uses that permitted in the Residential Growth Zone.

The Panel considers that allowing prohibited uses will not result in any greater level of building alteration or adaptation than permitted uses including residential use.

It is unlikely that the buildings will be reused for another television studio and it is reasonable to expect that a commercial building such as this will need to be altered to accommodate most uses. While the level of acceptable alteration can be determined through a future permit process, the prohibited use provision is a signal of the sites development potential and supports ongoing sustainable use of the buildings in a manner consistent with the conservation of the site's heritage values.

The Panel concludes:

- That a prohibited use provision is appropriate for this place.

5.6 Statement of Significance and Heritage Citation

(i) Evidence and submission

Content consistency with Citation and Heritage Assessment

The initial submission from the National Trust sought to include the full content of the Statement of Significance in the incorporated version of the Statement of Significance. This was not a position it explored further through its submission to the Hearing, although the evidence of Mr Trethowan recommended this change.

Council did not propose matching the full content. It submitted that it had followed PPN01 in preparing a concise Statement of Significance and that the Heritage Citation and Heritage

Assessment were identified as primary sources in that document. Council welcomed a Panel recommendation to address this matter if considered appropriate.

Ms Porter said that Statement of Significance should be pithy.

Oscar Gimsey

As identified in Chapter 3, Council, supported by the evidence of Mr Wixted and Mr Trethowan proposed that the Statement of Significance and Heritage Citation be updated to refer to the new materials identified relating to Oscar Gimsey. Council sought the Panel's recommendation in relation to updating the Statement of Significance and Heritage Citation.

The ABC likened the identification of additional information relating to Mr Gimsey as an exercise in trying to find new information to support the case for heritage significance.

Criterion D

Council sought the Panel's recommendation in relation to updating the Statement of Significance and Heritage Citation to reflect Mr Trethowan's evidence that the Gordon Street studios satisfy Criterion D.

As identified in Chapter 3, this position was not supported by the ABC or the evidence of Mr Vale or Ms Riddett.

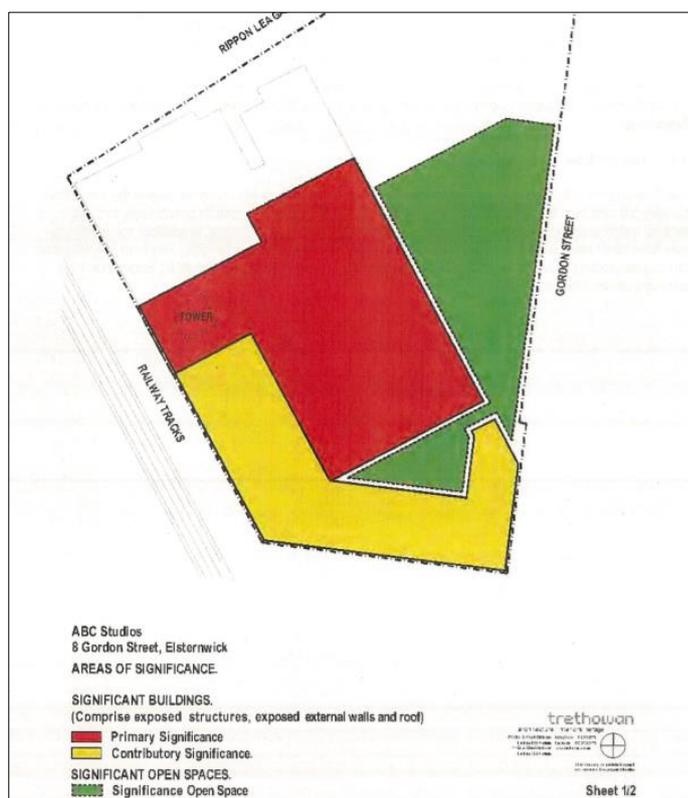
Areas of Primary and Contributory Significance

Mr Trethowan's evidence proposed to expand areas of significance (Figure 12) to:

- identify buildings of primary significance to include all of the stage 2 buildings (excluding the scenery workshop) and including all exposed external elevations and the roof, including the section of sawtooth roof around the transmission tower
- identify buildings of contributory significance to include all of the stage 1 buildings (including facades) and the scenery workshop
- identifying the significant open space areas as including the main gardens and courtyard area between the stage 1 and 2 buildings.

The changes identified by Mr Trethowan were not supported by the ABC and were considered to further constrain site development.

The amended version of the Statement of Significance provided by Council (Document 22) did not incorporate the majority of significant building elements proposed by Mr Trethowan. This version of the Statement of Significance did identify the roof area around the tower and proposed to identify as significant, the roofs of the stage 1, 2 and 3 buildings "to a minimum of 10 metres".

Figure 12 Trethowan evidence proposal for significant buildings**(ii) Discussion and conclusions****Content consistency with Heritage Citation and Heritage Assessment**

The Panel considers that the Statement of Significance has been prepared in a manner and contains content consistent with PPN01. The Panel agrees that the Statement of Significance should be brief and contain the primary information regarding what is significant. The source documents provide the necessary background information.

The Panel concludes:

- That further changes to the Statement of Significance to match the content of source documents is not necessary.

Oscar Gimsey

Panel acknowledges that the material relating to Oscar Gimsey was provided late in the Amendment process. It considers that this information adds value about the development of the studio buildings but as identified in Chapter 3, was not determinative in relation to the site's cultural heritage significance.

The Panel concludes:

- That the Statement of Significance and Heritage Citation should be updated to reflect Mr Wixted's evidence regarding Oscar Gimsey.

Criterion D

As identified in Chapter 3 the Panel considers that the site most likely satisfies HERCON Criterion D.

The Panel concludes:

- That the Statement of Significance and heritage Citation be amended to reflect Mr Trethowan's evidence that the Gordon Street studios satisfy Criterion D.

Areas of Primary and Contributory Significance

The changes identified by Mr Trethowan aimed to avoid the retention of just the facades of Stage 1 buildings as part of any site development, limit upper level additions on the primary significance buildings and preserve views to the building from Gordon Street. While the Panel understands the basis for Mr Trethowan's proposed changes, it considers they are excessive and have not had the benefit of more detailed examination. They will also substantially constrain the prospect of any reasonable required structure changes to accommodate appropriate re-use. The Panel also notes that the curtain walled façade of the stage 3 building has not been included in Mr Trethowan's drawing of being of primary or contributory significance.

The Panel does not support the inclusion of portions of the saw tooth roof around the transmission tower. Apart from the roof comprising asbestos material and being in poor condition, the Panel does not consider that this element is critical in understanding the site operations particularly as the tower was not originally enclosed by the later workshop addition.

The Panel considers that building areas of primary significance to be the stage 2 building absent the scenery workshop. This portion of the building contains the studios and important supporting rooms around them which help convey the former use and operation of the studios. The Panel considers that the north-east facing glass curtain wall facades of the stage 2 and 3 buildings to be of primary significance.

While the Panel considers the facades have a level of contributory significance associated with the early stage of building development and the garaging of the mobile van, the internal spaces are of little importance and convey little of the history of the site and have been altered over time with different openings and alterations. The Panel does not support these buildings (and scenery workshop area) other than the facades as being identified of contributory significance. The Panel notes that the boundary wall façade of the stage 1 building is unlikely to be appreciated in any real sense by anyone other than the residents of the adjoining property. The Panel would support its removal as a contributory façade from the areas of significance diagram in the Statement of Significance.

It is unclear to the Panel what Council is proposing in the revised Statement of Significance (Document 22) with the identification of contributory roof elements and the 10-metre reference. Council has not submitted that the stage 1 or 3 buildings (other than the facades) should be identified as contributory. The Panel considers however, that there is some value in identifying sections of the stage 2 building roof particularly to ensure the internal studio spaces are not substantially compromised and to ensure any upper level development does not dominate the building's scale and significant façade elements. The roof above the primary

significant façade element of the stage 3 building is similarly supported. The identification of roof areas of stage 1 buildings is considered unnecessary and is not supported.

The Panel does not support a change to the designation of the open space areas. While maintaining some views of the buildings front elevation is important, the current views of the buildings from Gordon Street are primarily from the driveway gates given the high, vine covered fence and other site vegetation.

The Panel concludes:

- That the Statement of Significance include as significant elements, the roof of the stage 2 building and stage 3 building to a minimum of 10 metres from the contributory facades of those buildings.

(iii) Recommendations

The Panel recommends:

Amend the Statement of Significance and Heritage Citation to reflect:

- **Mr Wixted's evidence regarding Oscar Gimsey.**
- **Mr Trethowan's evidence that the Gordon Street Studios satisfy Criterion D.**

Amend the Statement of Significance under 'What is significant' to:

- **Include as significant elements in dot point 2, the roof of the stage 2 building and stage 3 building to a minimum depth of 10 metres from the significant facades of those buildings.**

Appendix A Submitters to the Amendment

No.	Submitter
1	Mr Hayward
2	Mr Popper
3	Transport for Victoria
4	Melbourne Water
5	Mr Grinblat
6	Australian Broadcasting Corporation
7	National Trust of Australia
8	Mr Rothel
9	Environment Protection Authority (Southern Region)
10	Mr Hopgood

Appendix B Document list

No.	Date	Description	Provided by
1	1/4/2019	Minister for Planning's letter – Interim Heritage Overlay 29/1/2019	Mr Montebello
2	“	Heritage witness statement of David Wixted of Heritage Alliance	“
3	“	Heritage witness statement of Bruce Trethowan of Trethowan Architecture	“
4	“	Heritage witness statement of Brad Vale of NBRS Architecture	Ashurst for ABC
5	“	Heritage witness statement of Robyn Riddett of Anthemion Consultancies	“
6	“	Planning witness statement of Colleen Peterson of Ratio Consultants	“
7	28/4/2019	Aerial photographs	Mr Montebello
8	“	Elsternwick Structure Plan	“
9	“	Victorian Heritage Register Criteria and Threshold Guidelines	Ms Porter
10	“	Larger scale drawings from Trethowan evidence	Mr Montebello
11	“	The Age newspaper article 20 November, 1956	Mr Trethowan
12	“	National Trust submission	Ms Watson
13	29/4/2019	Section 12 of the <i>Planning and Environment Act 1987</i> excerpts	Ms Porter
14	“	Panel Report Melbourne Planning Scheme C207	Ms Porter
15	“	Panel Report Whitehorse Planning Scheme C157	Mr Montebello
16	“	Court of Appeal decision Boroondara City Council v 1045 Burke Road Pty Ltd [2015] VSCA 27	Ms Porter
17	“	Ministerial Direction No. 11 Strategic Assessment of Amendments	Ms Porter
18	“	Planning Practice Note 46 Strategic Assessment Guidelines for preparing and evaluating planning scheme amendments, August 2018	Ms Porter
19	“	Victorian Heritage Database place details Waverly Park – 29/4/2019	Mr Montebello
20	“	ABC submission	Ms Porter
21	“	Panel version Statement of Significance	Mr Montebello

No.	Date	Description	Provided by
22	9/5/2019	Track changed version of the Statement of Significance incorporating changes discussed at the Panel	Council
23	21/5/2019	Comment from Ashurst for ABC on revised Statement of Significance and recommendation of Executive Director of Heritage Victoria	Ashurst
24	“	Advice form Council regarding recommendation of Executive Director of Heritage Victoria	Council
25	“	Email from Heritage Victoria including letter and Recommendation report of Executive Director Heritage Victoria	Heritage Victoria
